

CASE CLOSURE FORM

Name of Case: Double D Foods

Docket Number: CAA-06-2007-3564

Date Complaint Issued: 07-17-2007

Date Concluded: 11-09-2007

How Concluded: Submitted RMP; Paid Penalty

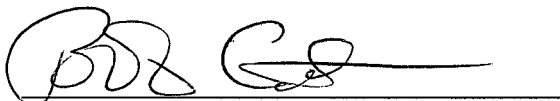
Date of Case Conclusion Data Sheet: 11-28-2007

Penalty Due: \$ 1,140.00

Date Penalty Collected: 10-18-2007

Additional Settlement Conditions:

Date Settlement Conditions Satisfied: 11-28-2007

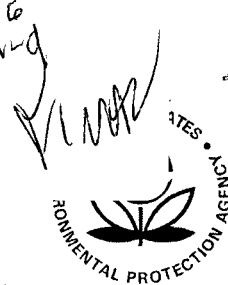


Case Handler

11-28-07

Date

IN
OUT
6RA-IN
OUT
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OUT
IN



CONCURRENCE ROUTING: RMP ENFORCEMENT
TYPE OF ACTION: Final Order of Clean Air Act, Section 112(r) Expedited Settlement Agreement

Handwritten signature/initials

**Double D Foods
Oklahoma City, Oklahoma
CAA-06-2007-3564**

6RA: Richard E. Greene *[Signature]* **Date:** _____

6SF-PC: Samuel G. Tate *[Signature]* **Date:** 11/6/07

6SF-PC: Bob Goodfellow *[Signature]* **Date:** 11-6-07

dr **6XA:** *[Signature]* **Date:** 11/6/07

THIS DOCUMENT DOES NOT NEED TO BE REVIEWED BY THE OFFICE OF REGIONAL COUNSEL AS PER AGREEMENT.

11-13-07 Final mailed

*db
11/6
over
11/2/07*

When Concurrence is completed please contact Elizabeth Rogers at (x6708) for pickup.

Logged 579
date 11/6 initial dr
NOV 06 2007



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TEXAS 75202-2733

EXPEDITED SETTLEMENT AGREEMENT (ESA)

DOCKET NO: 06-2007-3564

This complaint is issued to: Double D Foods

**At: 7300 Southwest 29th Street, Oklahoma City, OK
for violating Section 112(r)(7) of the Clean Air Act.**

This Expedited Settlement Agreement (ESA) is being entered into by the United States Environmental Protection Agency (EPA), Region 6, by its duly delegated official, the Director, Superfund Division, and by Respondent pursuant to Section 113(a)(3) and (d) of the Clean Air Act (the Act), 42 U.S.C. § 7413(a)(3) and (d), and by 40 C.F.R. § 22.13(b). On August 13, 2003, EPA obtained the concurrence of the U.S. Department of Justice, pursuant to Section 113(d)(1) of the Act, 42 U.S.C. § 7413(d)(1), to pursue this administrative enforcement action.

On May 23, 2007, an authorized representative of the EPA conducted a compliance inspection of the subject facility (Respondent) to determine compliance with the Risk Management Plan (RMP) regulations promulgated at 40 C.F.R. Part 68 under Section 112(r) of the Act. EPA found that the Respondent had violated regulations implementing Section 112(r) of the Act by failing to comply with the regulations as noted on the attached RISK MANAGEMENT PLAN INSPECTION FINDINGS, ALLEGED VIOLATIONS AND PROPOSED PENALTY SHEET ("FORM"), which is hereby incorporated by reference.

SETTLEMENT

In consideration of Respondent's size of business, its full compliance history, its good faith effort to comply, and other factors as justice may require, and upon consideration of the entire record the parties enter into the ESA in order to settle the violations, described in the attached FORM for the total penalty amount of **\$1,140.00**.

This settlement is subject to the following terms and conditions:

The Respondent by signing below waives any objections that it may have regarding jurisdiction, neither admits nor denies the specific factual allegations contained herein, and consents to the assessment of the penalty as stated above. Respondent waives its rights to a hearing afforded by Section 113(d)(2)(A) of the Act, 42 U.S.C. § 7413(d)(2)(A), and to appeal this ESA. Each party to this action shall bear its own costs and fees, if any. Respondent also certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that the Respondent has corrected the violations listed in the attached FORM and has sent a cashier's check or certified check (payable to the "Treasurer, United States of America") in the amount of **\$1,140.00** in payment of the full penalty amount to the following address:

U.S. EPA Region 6
Regional Hearing Clerk (RC-HO)
P.O. Box 371099M
Pittsburgh, PA 15251

The DOCKET NUMBER OF THIS EXPEDITED SETTLEMENT AGREEMENT must be included on the certified check. (The DOCKET NUMBER is located at the top left corner of this Expedited Settlement Agreement.)

This original Settlement Agreement and a copy of the certified check must be sent by certified mail to:

Elizabeth R. Rogers
RMP 112(r) Compliance Officer
Superfund Division (6SF-PC)
U.S. Environmental Protection Agency Region 6
1445 Ross Avenue, 12th Floor
Dallas, Texas 75202-2733

07 NOV 13 PM 3:43
REGIONAL HEARING CLERK
EPA REGION 6

Upon the Respondent's signing and submission of this Settlement Agreement, EPA will take no further action against the Respondent for the alleged violations of the Clean Air Act described in the above Form. EPA does not waive any enforcement action by EPA for any other past, present, or future violations under the Clean Air Act or any other statute.

If the Settlement Agreement with an attached copy of the certified check is not returned to the EPA Region 6 office at the above address in correct form by the Respondent within 45 days of the date of the receipt of this Settlement Agreement, the Complaint and Expedited Settlement Agreement is withdrawn, without prejudice to EPA's ability to file additional enforcement actions for the violations identified in this Settlement Agreement.

Respondent has the right to request a hearing on any material fact or on the appropriateness of the penalty contained in this complaint pursuant to 40 CFR § 22.14. Upon signing and returning of this Settlement Agreement to EPA, the Respondent waives the opportunity for a hearing pursuant to Section 113(d)(2)(A) of the Clean Air Act, 42 U.S.C. § 7413(d)(2)(A).

This Settlement Agreement is binding on the EPA and the Respondent signing below. By signing below, the Respondent waives any objections to EPA's jurisdiction with respect to the Settlement Agreement and consents to EPA's approval of this Settlement Agreement without further notice. This Settlement Agreement is effective upon the Regional Administrator's signature.

Samuel Coleman, P. E.
Director
Superfund Division

Date: 2/17/07

It is so ORDERED. This Order shall become effective upon filing of the fully executed Complaint and Expedited Settlement Agreement.

Richard E. Greene
Regional Administrator

Date: 11/9/07

SIGNATURE BY RESPONDENT:

Signature: [Signature]
Name (print): Jason Malmgren
Title (print): Operations Manager
Cost of Corrective Actions: \$ 11,500

Date: 10-19-07

Oct 22 2007
Jed Hurd

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

M& Bank

OFFICIAL CHECK

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

(b) (4)

10/18/2007

25-80
440

Remitter DOUBLE O. FOODS INC.

Date October 18, 2007

Issuer Accepts As Drawn/Drawee

Amount **One Thousand One Hundred Forty Dollars and Zero Cents**

\$ 1,140.00

Pay to the order of

TREASURER, UNITED STATES OF AMERICA



700880

Docket No 06-2007-3544

Authorized Signature

Payable Through JPMorgan Chase Bank, N.A., Columbus, Ohio

(b) (4)

(b) (4)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

NOV 13 2007

Mr. Dan Messner
Maintenance Manager & RMP Coordinator
Double D Foods
7300 Southwest 29th Street
Oklahoma City, OK 73179

Re: Expedited Settlement Agreement-Final Order
Docket No. CAA-06-2007-3564

Dear Mr. Messner:

Enclosed for your records is a copy of the fully executed Expedited Settlement Agreement (ESA) for the CAA 112(r) violation found at the Double D Foods located in Oklahoma City, Oklahoma.

If you have any questions regarding this matter, please do not hesitate to call. I may be reached by phone at (214) 665-6632 or by email at GOODFELLOW.BOB@EPA.GOV.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Goodfellow", with a horizontal line extending to the right.

Bob Goodfellow
Superfund Prevention Branch
EPA Region 6

Enclosure

NOV 13 2007

Mr. Dan Messner
Maintenance Manager & RMP Coordinator
Double D Foods
7300 Southwest 29th Street
Oklahoma City, OK 73179

Re: Expedited Settlement Agreement-Final Order
Docket No. CAA-06-2007-3564

Dear Mr. Messner:

Enclosed for your records is a copy of the fully executed Expedited Settlement Agreement (ESA) for the CAA 112(r) violation found at the Double D Foods located in Oklahoma City, Oklahoma.

If you have any questions regarding this matter, please do not hesitate to call. I may be reached by phone at (214) 665-6632 or by email at GOODFELLOW.BOB@EPA.GOV.

Sincerely,

Bob Goodfellow
Superfund Prevention Branch
EPA Region 6

Enclosure

6SF-PC: E. ROGERS: X6708
TATES

REQUEST FOR APPROVAL OF FINAL ORDER
EXPEDITED SETTLEMENT AGREEMENT

SUMMARY OF CASE

RESPONDENT: Double D Foods

VIOLATION: Failure to file an RMP

PENALTY AMOUNT: \$ 1,140.00

STAKE HOLDER ISSUES: None

CASE CONTACT: Bob Goodfellow, ext. x6632
Elizabeth Rogers, ext. x6708



7300 SW 29th Street
Oklahoma City, OK 73179

October 22, 2007

Elizabeth R. Rogers
RMP 112r Compliance Officer
Superfund Division (6SF-PC)
U.S. Environmental Protection Agency Region 6
1445 Ross Avenue, 12th Floor
Dallas, Texas 75202-2733

**RE: Expedited Settlement Agreement (ESA) for Risk Management Plan
Inspection Findings
Docket No. 06-2007-3564**


Dear Ms. Rogers,

Double D Foods has attached a copy of the Expedited Settlement Agreement (Docket No. 06-2007-3564) and a copy of the certified check made out to the "Treasurer, United States of America" which was sent via certified mail to:

US EPA Region 6
Regional Hearing Clerk (RC-HO)
P.O. Box 371099M
Pittsburgh, PA 15251

If you have any questions, please feel free to call me at (405) 745-3471 office or (405) 642-1423.

Respectfully,


Jason Malmgren
Plant Manager
Double D Foods

cc: Bob Goodfellow –

RMP 112r Compliance Office
Superfund Division (6SF-PC)
U.S. Environmental Protection Agency Region 6
1445 Ross Avenue, 12th Floor
Dallas, Texas 75202-2733

Case Conclusion Data Sheet

November 28, 2007

A. Case and Facility Background

1. Enforcement Action ID: 06-2008-3564
2. Enforcement Action Name Double D Foods
3. Settlement Action Type
☐ (a) Consent decree or court order resolving a judicial action
☐ (b) Admin. Compliance Order (with/without injunctive relief)
☒ (c) Admin. Penalty Order (with/without injunctive relief)
☐ (d) Notice of Determination
☐ (e) Federal Facility Compliance Agreement (not incl. RCRA matters)
☐ (f) Superfund Administrative Order for Cost Recovery
4. Was Alternative Dispute Resolution used in this action (Y/N)
5. Was an Environmental Management System requested (Y/N)
6. Administrative Action Date: _____ Final Order Issued: 11/09/2007
or
Civil Action Date: _____ CD Lodged _____ CD Entered _____
7. Respondent(s) _____
8. Federal Statute(s) violated (e.g., CAA, EPCRA, etc.) (Not U.S.C. or CFR) CAA 112(r)
9. Facility Name(s) Double D Foods
10. Facility Address(s) Street: 7300 Southwest 29th Street City: Oklahoma City County: _____
St: Oklahoma Zip: 73179

B. Penalty (if there is no penalty, enter 0 and proceed to #15)

11. For multimedia actions, Cash Civil Penalty Amount Required by statute:
Statute _____ Amount \$ _____

12. Federal Penalty Required \$ 1,140.00
13. (if shared) State/Local Penalty Amount \$ _____

C. Cost Recovery

14. Amount cost recovery Required: \$ _____ EPA \$ _____ State and/or Local Government
\$ _____ Other

D. Supplemental Environmental Project (SEP) Information (Y/N) If Yes, for each SEP provide the following:

15. Is Environmental Justice addressed by impact of SEP? (Y/N)
16. SEP description
17. Category of SEP(s)

- ☐ (a) Public Health
- ☐ (b) Pollution Prevention (Complete Q. 19)
 - ☐ (1) equipment/technology modifications
 - ☐ (2) process/procedure modification
 - ☐ (3) product reformulation/redesign
 - ☒ (4) raw materials substitution
 - ☐ (5) improved housekeeping/O&M/training/inventory-control
 - ☐ (6) in-process recycling
 - ☐ (7) energy efficiency/conservation
- ☐ (c) Pollution Reduction (Complete Q. 19)
- ☐ (d) Environmental Restoration and Protection
- ☐ (e) Assessments and Audits
- ☐ (f) Environmental Compliance Promotion
- ☐ (g) Emergency Planning and Preparedness
- ☐ (h) Other Program Specific SEP

18. Cost of SEP. Cost calculated by the Project Model is required. \$ _____
19. Quantitative environmental pollutants and/or chemicals and/or waste-streams, amount of reductions/eliminations (e.g., emissions/discharges)

ENVIRONMENTAL BENEFIT OF SEP

<u>Pollutant/Chemical/Waste Stream</u>	<u>Amount</u>	<u>Units (circle one)</u>	<u>Potentially Impacted Media</u>
		Pounds/yr	Air
		People	Land
		Acres	Water (navigable/surface)
		Linear Feet ss	Water (wetlands)
		Linear Feet ms	Water (wastewater to a POTW)
		Linear Feet ls	Water (underground source of drinking water)
		Gallons/yr	Water (ground)
		Pounds	Animals/Plants/Humans
			Buildings/Houses/Schools

E. Injunctive Relief/Compliance Actions (Non-SEP)(APO's w/o inj. relief [4©) above], Superfund Admin Cost Recovery Agreements[4(f) above] SKIP THIS SECTION)

20. What action did violator accomplish prior to receipt of settlement/order or will take to return to compliance or meet addl. requirements (other than what has already been reported on the Inspection Conclusion Data Sheet (ICDS)). This may be due to settlement/order requirements or otherwise required by statute or regulation (e.g. actions related to an APO which did not specify compliance requirements). Where separate penalty and/or compliance orders are issued in connection w/same violation(s), report the following information for only one. Select response(s) from the following:

Actions with Direct Environmental Benefits and/or Direct

Response/Corrective Action

- ☐ Source Reduction/Waste Minimization (RCRA)
- ☐ Industrial/Municipal Process Change (includes flow reduction)
- ☐ Emissions/Discharge Change (e.g. end-of-pipe treatment)
- ☐ Implement Best Management Practices (BMPs)
- ☐ Wetlands Mitigation
- ☐ In-situ and Ex-situ Treatment (CERCLA/RCRA Corrective Action)
- ☐ Waste Treatment (RCRA/TSCA)
- ☐ Removal of Spill
- ☐ Removal of Contaminated Medium (soil, drums etc.)
- ☐ Containment (CERCLA)
- ☐ Leak Repair (CAA)
- ☐ Import Denied (FIFRA)
- ☐ Pesticide Destroyed (FIFRA)

Preventative Actions to Reduce Likelihood of Future Releases

- ☐ Disposal Change
- ☐ Storage Change
- ☐ Develop/Implement Asbestos Management Plan
- ☐ Develop/Implement Spill Prevention and Countermeasures Control (SPCC) Plan
- ☐ Obtain Permit for Underground Injection (UIC)
- ☐ UIC Plug and Abandon
- ☐ UIC Demonstrate Mechanical Integrity
- ☐ UST Tank Closure
- ☐ UST Secondary Containment
- ☐ UST Corrosion or Overfill Protection
- ☐ RCRA Labeling/Manifesting
- ☐ RCRA Waste Identification

Facility/Site Management and Info. Practices

- ☐ Testing/Sampling
- ☐ Auditing
- ☐ Labeling
- ☐ Record keeping
- ☐ Reporting
- ☐ Information Letter Response
- ☐ Financial Responsibility Requirements
- ☐ Environmental Management Review
- ☐ RI/FS or RD (CERCLA)
- ☐ Site Assessment/Characterization (CERCLA)
- ☐ Provide Site Access (CERCLA)
- ☐ Monitoring
- ☐ UST Release Detection
- ☐ Storm water Site Inspections
- ☐ Asbestos Inspections
- ☐ Training
- ☐ Planning
- ☐ Permit Application
- ☐ Work Practices
- ☐ Notification (TSCA Section 6)
- ☐ Leak Detection (CAA)
- ☐ Spill Notification
- ☐ Develop/Implement CMOM Program (CWA)

- ___ RCRA Secondary Containment
- ___ Lead-Based Paint Disclosure
- ___ Lead-Based Paint Removal Training/Certification
- ___ Asbestos Training/Certification/Accreditation
- ___ Asbestos Abatement
- ___ Asbestos Plan Submission
- ___ Notification (SDWA, FIFRA)
- ___ Worker Protection (FIFRA)
- ___ Pesticide Registered (FIFRA)
- ___ Pesticide Certified (FIFRA)
- ___ Pesticide Claim Removed (FIFRA)
- ___ Pesticide Label Revision (FIFRA)

21. Cost of actions described in item #21. (Actual cost data supplied by violator is preferred figure.)

Physical actions: \$ _____

Non-Physical actions: \$ _____

22. Quantitative environmental impact of actions described in item #21: (Add additional pollutants on blank sheet)

REDUCTIONS/ELIMINATIONS/TREATMENT

<u>Pollutant/Chemical/Waste Stream</u>	<u>Amount</u>	<u>Units</u>	<u>Potentially Impacted Media</u>
		Pounds/yr.	Air
		People	Land
		Cubic Yards	Soil
		Acres	Water (navigable/surface)
		Linear Feet (ss/ms/l/s)	Water (wetlands)
		Gallons	Water (underground source of drinking water)
		Pounds	Water (ground)
		Miles of Stream Impacted	Animals/Plants/Humans

PREVENTION

<u>Pollutant/Chemical/Waste Stream</u>	<u>Amount</u>	<u>Units</u>	<u>Potentially Impacted Media</u>
		Wells	Water (underground source of drinking water)
		Gallons	Water (navigable/surface)
		SF/MF/Housing units	Schools/Housing/Buildings
		Building Units	Animals/Plants/Humans
		Schools	
		People	
		Pounds	



CONCURRENCE ROUTING: RMP ENFORCEMENT

Sh
ICIS

TYPE OF ACTION: Clean Air Act, Section 112(r) Expedited Settlement Agreement

Double D Foods
Oklahoma City, Oklahoma
CAA-06-2007-3564

6SF-PC: Bob Goodfellow

BB

Date: 7/16/07

6SF-PC: Samuel G. Tate

Samuel Tate

Date: 7/18/07

h 6SF-P: Ragan Broyles

SGT

Date: 7/16/07

6SF: Samuel Coleman

Date:

6SF-PC: Elizabeth Rogers

Date:

7/19/07 ESA Mailed

9/4/07 Extension granted
new Due Date 10/23/07

#3848
de. m.

THIS ENFORCEMENT ACTION WILL BE ENTERED INTO ICIS WITHIN 5 DAYS
OF THE EFFECTIVE DATE OF THE ACTION.

JUL 13 2007

SEP 04 2007

Mr. Dan Messner
Maintenance Manager & RMP Coordinator
Double D Foods
7300 Southwest 29th Street
Oklahoma City, OK 73179


Re: Expedited Settlement Agreement (ESA) for Risk Management Plan Inspection Findings,
Alleged Violations and Proposed Penalty
Docket No. CAA-06-2006-3564
1

Dear Mr. Messner:

Your request for a 45-day extension of time to bring the Double D Foods into compliance with the Risk Management Program is approved. The new date for signing and returning the original Expedited Settlement Agreements (ESAs), paying the penalties, and submitting the certifying complaint Risk Management Plans requirements is October 23, 2007.

If you have any questions, you may contact me at (214) 665-6708.

Sincerely,



Elizabeth R. Rogers
Response and Prevention Branch
EPA Region 6



7300 SW 29th Street
Oklahoma City, OK 73179

August 20, 2007

Elizabeth R. Rogers
RMP 112r Compliance Officer
Superfund Division (6SF-PC)
U.S. Environmental Protection Agency Region 6
1445 Ross Avenue, 12th Floor
Dallas, Texas 75202-2733

New Due Date
Oct. 23, 2007

**RE: Request for a 45-day extension to submit the original ESA
Docket No. 06-2007-3564**

Dear Ms. Rogers,

Double D Foods requests a 45-day "for cause" extension to submit the original ESA (Docket No. 06-2007-3564), copy attached, received July 19, 2007 at our facility.

Recently our refrigeration technician experienced a serious medical condition and undergone major surgery. He is expected to return to work no sooner than September 15th. In the mean time, I am assuming all the duties of this full time position until the refrigeration technician returns to work. Since I am the facility's maintenance manager and RMP coordinator, I will be unable to resolve the deficiencies, prepare the required documents and correspondence until our refrigeration technician returns to work. Afterwards, I will make the 45-day extension deadline, which I understand would be October 15, 2007.

If you have any questions regarding our request, please feel free to call me at (405) 745-3471 office or (405) 642-1423.

Respectfully,

Dan Messner
Maintenance Manager & RMP Coordinator
Double D Foods



7300 SW 29th Street
Oklahoma City, OK 73179

cc: Bob Goodfellow –

RMP 112r Compliance Office
Superfund Division (6SF-PC)
U.S. Environmental Protection Agency Region 6
1445 Ross Avenue, 12th Floor
Dallas, Texas 75202-2733



7300 SW 29th Street
Oklahoma City, OK 73179

*Rec'd
AUG 29 2007
Superfund*

August 20, 2007

Elizabeth R. Rogers
RMP 112r Compliance Officer
Superfund Division (6SF-PC)
U.S. Environmental Protection Agency Region 6
1445 Ross Avenue, 12th Floor
Dallas, Texas 75202-2733

**RE: Request for a 45-day extension to submit the original ESA
Docket No. 06-2007-3564**

Dear Ms. Rogers,

Double D Foods requests a 45-day "for cause" extension to submit the original ESA (Docket No. 06-2007-3564), copy attached, received July 19, 2007 at our facility.

Recently our refrigeration technician has experienced a serious medical condition and undergone major surgery. He is expected to return to work no sooner than 30 days (approximately September 15th). In the mean time, our maintenance manager has had to assume all the duties of this full time position until the refrigeration technician returns to work. Since the maintenance manager is also our facility's RMP coordinator, he will be unable to resolve deficiencies, prepare the required documents and correspondence until our refrigeration technician returns to work. Afterwards, he will meet the 45-day extension deadline, which we understand would be October 15, 2007.

If you have any questions regarding our request, please feel free to call me at (405) 745-3471 office or (405) 642-1423.

Respectfully,


Jason Malmgren
Operations Manager
Double D Foods



7300 SW 29th Street
Oklahoma City, OK 73179

cc: Bob Goodfellow –

RMP 112r Compliance Office
Superfund Division (6SF-PC)
U.S. Environmental Protection Agency Region 6
1445 Ross Avenue, 12th Floor
Dallas, Texas 75202-2733

7006 2760 0002 1322 8934

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com®

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

Sent To *Double D*

Street, Apt. No.,
or PO Box No.

City, State, ZIP+4

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Dan Messner
Maintenance Manager
Double D Foods
7300 Southwest 29th Street
Oklahoma City, OK 73179

COMPLETE THIS SECTION ON DELIVERY

A. Signature

* ☒ Agent☐ Addressee

B. Received by (Printed Name)

Sierra Spellmon

C. Date of Delivery

012307

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7006 2760 0002 1322 8934

PS Form 3811, February 2004

Domestic Return Receipt

E8A

102595-02-M-1540

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

U.S. EPA (6SF-PC)
1445 Ross Avenue, 12th Floor
Dallas, Texas 75202
ATTN: Elizabeth R. Rogers





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TEXAS 75202-2733

JUL 19 2007

CERTIFIED MAIL, RETURN RECEIPT REQUEST

Certified Receipt # 7006 2760 0002 1322 8934

Mr. Dan Messner
Maintenance Manager
Double D Foods
7300 Southwest 29th Street
Oklahoma City, OK 73179

Re: Expedited Settlement Agreement (ESA) for Risk Management Plan Inspection Findings,
Alleged Violations and Proposed Penalty
Docket No. 06-2007-3564

Dear Mr. Messner:

The United States Environmental Protection Agency (EPA) has authority under Section 113 of the Clean Air Act (the CAA or the Act) to pursue civil penalties for violations of the Section 112(r)(7) Risk Management Program (RMP) regulations found at 40 C.F.R. Part 68. Enclosed is an Expedited Settlement Agreement (ESA) that addresses RMP violations discovered at Double D Foods, located at 7300 Southwest 29th Street, Oklahoma City, OK (Respondent), as documented in the enclosed Risk Management Program Inspection Findings, Alleged Violations and Proposed Penalty Sheet.

EPA encourages an expeditious settlement of easily correctable violations such as the violations cited in the enclosed ESA. The ESA complies with the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and the Revocation, Termination or Suspension of Permits: Final Rule, 40 C.F.R. Part 22 (2002).

You may resolve the cited violations by mailing a check for the penalty as set out below, signing and returning the original ESA within 45 days of your receipt of this letter. EPA, at its discretion, may grant one 45-day extension for cause upon request. Please be advised that the ESA contains a discounted, non-negotiable penalty amount, which is lower than the amount that would be derived from EPA's Combined Enforcement Policy for Section 112(r) of the Act.

The ESA, when executed by both parties, is binding on EPA and you. Upon receipt of the signed document, EPA will take no further action against you for the violations cited in the ESA. EPA will neither accept nor approve the ESA if returned more than 45 days after the date of your receipt of this letter, unless an extension has been granted by EPA.

If you do not pay the penalty and return the ESA within 45 days of receipt, the ESA will be automatically withdrawn, without prejudice to EPA's ability to file an enforcement action for the cited violations. If you decide not to sign and return the ESA and pay the penalty, EPA can pursue other enforcement measures to correct the violation(s) and seek penalties of up to \$32,500 per violation per day.

You are required in the ESA to certify that you have corrected the violation(s) and paid the penalty. The payment for the penalty amount must be in the form of a certified check payable to the "Treasurer, United States of America", with the Docket Number of the ESA on the check. The Docket Number is located at the top of the left column of the ESA.

Payment of the penalty amount shall be sent via certified mail to:

U.S. EPA Region 6
Regional Hearing Clerk (RC-HO)
P.O. Box 371099M
Pittsburgh, PA 15251

The signed original ESA with a copy of the certified check shall be sent via certified mail to:

Elizabeth R. Rogers
RMP 112(r) Compliance Officer
Superfund Division (6SF-PC)
U.S. Environmental Protection Agency Region 6
1445 Ross Avenue, 12th Floor
Dallas, Texas 75202-2733

When signing the ESA, please indicate, in the appropriate space, the cost of all actions taken to correct the alleged violations.

By terms of the ESA, and upon EPA's receipt of the signed ESA, you waive your opportunity for a hearing pursuant to Section 113 of the CAA. EPA will treat any response to the ESA, other than acceptance of the settlement offer, as an indication that the recipient is not interested in pursuing this expedited settlement procedure.

If you have any questions relating to this ESA, please contact Bob Goodfellow at 214.665.6632 or by e-mail at goodfellow.bob@epa.gov.

Sincerely yours,



Samuel G. Tate
Regulatory Enforcement
& Compliance Coordinator

Enclosures (3)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TEXAS 75202-2733

'JUL 19 2007

CERTIFIED MAIL, RETURN RECEIPT REQUEST

Certified Receipt # 7006 2760 0002 1322 8934

Mr. Dan Messner
Maintenance Manager
Double D Foods
7300 Southwest 29th Street
Oklahoma City, OK 73179

Re: Expedited Settlement Agreement (ESA) for Risk Management Plan Inspection Findings,
Alleged Violations and Proposed Penalty
Docket No. 06-2007-3564

Dear Mr. Messner:

The United States Environmental Protection Agency (EPA) has authority under Section 113 of the Clean Air Act (the CAA or the Act) to pursue civil penalties for violations of the Section 112(r)(7) Risk Management Program (RMP) regulations found at 40 C.F.R. Part 68. Enclosed is an Expedited Settlement Agreement (ESA) that addresses RMP violations discovered at Double D Foods, located at 7300 Southwest 29th Street, Oklahoma City, OK (Respondent), as documented in the enclosed Risk Management Program Inspection Findings, Alleged Violations and Proposed Penalty Sheet.

EPA encourages an expeditious settlement of easily correctable violations such as the violations cited in the enclosed ESA. The ESA complies with the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and the Revocation, Termination or Suspension of Permits: Final Rule, 40 C.F.R. Part 22 (2002).

You may resolve the cited violations by mailing a check for the penalty as set out below, signing and returning the original ESA within 45 days of your receipt of this letter. EPA, at its discretion, may grant one 45-day extension for cause upon request. Please be advised that the ESA contains a discounted, non-negotiable penalty amount, which is lower than the amount that would be derived from EPA's Combined Enforcement Policy for Section 112(r) of the Act.

The ESA, when executed by both parties, is binding on EPA and you. Upon receipt of the signed document, EPA will take no further action against you for the violations cited in the ESA. EPA will neither accept nor approve the ESA if returned more than 45 days after the date of your receipt of this letter, unless an extension has been granted by EPA.

If you do not pay the penalty and return the ESA within 45 days of receipt, the ESA will be automatically withdrawn, without prejudice to EPA's ability to file an enforcement action for the cited violations. If you decide not to sign and return the ESA and pay the penalty, EPA can pursue other enforcement measures to correct the violation(s) and seek penalties of up to \$32,500 per violation per day.

You are required in the ESA to certify that you have corrected the violation(s) and paid the penalty. The payment for the penalty amount must be in the form of a certified check payable to the "Treasurer, United States of America", with the Docket Number of the ESA on the check. The Docket Number is located at the top of the left column of the ESA.

Payment of the penalty amount shall be sent via certified mail to:

U.S. EPA Region 6
Regional Hearing Clerk (RC-HO)
P.O. Box 371099M
Pittsburgh, PA 15251

The signed original ESA with a copy of the certified check shall be sent via certified mail to:

Elizabeth R. Rogers
RMP 112(r) Compliance Officer
Superfund Division (6SF-PC)
U.S. Environmental Protection Agency Region 6
1445 Ross Avenue, 12th Floor
Dallas, Texas 75202-2733

When signing the ESA, please indicate, in the appropriate space, the cost of all actions taken to correct the alleged violations.

By terms of the ESA, and upon EPA's receipt of the signed ESA, you waive your opportunity for a hearing pursuant to Section 113 of the CAA. EPA will treat any response to the ESA, other than acceptance of the settlement offer, as an indication that the recipient is not interested in pursuing this expedited settlement procedure.

If you have any questions relating to this ESA, please contact Bob Goodfellow at 214.665.6632 or by e-mail at goodfellow.bob@epa.gov.

Sincerely yours,

Samuel G. Tate
Regulatory Enforcement
& Compliance Coordinator

Enclosures (3)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

1445 ROSS AVENUE, SUITE 1200
DALLAS, TEXAS 75202-2733

EXPEDITED SETTLEMENT AGREEMENT (ESA)

DOCKET NO: 06-2007-3564

This complaint is issued to: Double D Foods

**At: 7300 Southwest 29th Street, Oklahoma City, OK
for violating Section 112(r)(7) of the Clean Air Act.**

This Expedited Settlement Agreement (ESA) is being entered into by the United States Environmental Protection Agency (EPA), Region 6, by its duly delegated official, the Director, Superfund Division, and by Respondent pursuant to Section 113(a)(3) and (d) of the Clean Air Act (the Act), 42 U.S.C. § 7413(a)(3) and (d), and by 40 C.F.R. § 22.13(b). On August 13, 2003, EPA obtained the concurrence of the U.S. Department of Justice, pursuant to Section 113(d)(1) of the Act, 42 U.S.C. § 7413(d)(1), to pursue this administrative enforcement action.

On May 23, 2007, an authorized representative of the EPA conducted a compliance inspection of the subject facility (Respondent) to determine compliance with the Risk Management Plan (RMP) regulations promulgated at 40 C.F.R. Part 68 under Section 112(r) of the Act. EPA found that the Respondent had violated regulations implementing Section 112(r) of the Act by failing to comply with the regulations as noted on the attached RISK MANAGEMENT PLAN INSPECTION FINDINGS, ALLEGED VIOLATIONS AND PROPOSED PENALTY SHEET ("FORM"), which is hereby incorporated by reference.

SETTLEMENT

In consideration of Respondent's size of business, its full compliance history, its good faith effort to comply, and other factors as justice may require, and upon consideration of the entire record the parties enter into the ESA in order to settle the violations, described in the attached FORM for the total penalty amount of **\$1,140.00**.

This settlement is subject to the following terms and conditions:

The Respondent by signing below waives any objections that it may have regarding jurisdiction, neither admits nor denies the specific factual allegations contained herein, and consents to the assessment of the penalty as stated above. Respondent waives its rights to a hearing afforded by Section 113(d)(2)(A) of the Act, 42 U.S.C § 7413(d)(2)(A), and to appeal this ESA. Each party to this action shall bear its own costs and fees, if any. Respondent also certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that the Respondent has corrected the violations listed in the attached FORM and has sent a cashier's check or certified check (payable to the "Treasurer, United States of America") in the amount of **\$1,140.00** in payment of the full penalty amount to the following address:

U.S. EPA Region 6
Regional Hearing Clerk (RC-HO)
P.O. Box 371099M
Pittsburgh, PA 15251

The DOCKET NUMBER OF THIS EXPEDITED SETTLEMENT AGREEMENT must be included on the certified check. (The DOCKET NUMBER is located at the top left corner of this Expedited Settlement Agreement.)

This original Settlement Agreement and a copy of the certified check must be sent by certified mail to:

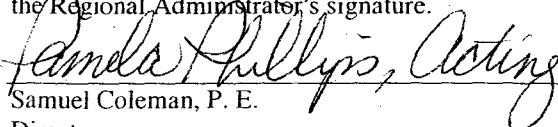
Elizabeth R. Rogers
RMP 112(r) Compliance Officer
Superfund Division (6SF-PC)
U.S. Environmental Protection Agency Region 6
1445 Ross Avenue, 12th Floor
Dallas, Texas 75202-2733

Upon the Respondent's signing and submission of this Settlement Agreement, EPA will take no further action against the Respondent for the alleged violations of the Clean Air Act described in the above Form. EPA does not waive any enforcement action by EPA for any other past, present, or future violations under the Clean Air Act or any other statute.

If the Settlement Agreement with an attached copy of the certified check is not returned to the EPA Region 6 office at the above address in correct form by the Respondent within 45 days of the date of the receipt of this Settlement Agreement, the Complaint and Expedited Settlement Agreement is withdrawn, without prejudice to EPA's ability to file additional enforcement actions for the violations identified in this Settlement Agreement.

Respondent has the right to request a hearing on any material fact or on the appropriateness of the penalty contained in this complaint pursuant to 40 CFR § 22.14. Upon signing and returning of this Settlement Agreement to EPA, the Respondent waives the opportunity for a hearing pursuant to Section 113(d)(2)(A) of the Clean Air Act, 42 U.S.C. § 7413(d)(2)(A).

This Settlement Agreement is binding on the EPA and the Respondent signing below. By signing below, the Respondent waives any objections to EPA's jurisdiction with respect to the Settlement Agreement and consents to EPA's approval of this Settlement Agreement without further notice. This Settlement Agreement is effective upon the Regional Administrator's signature.


Samuel Coleman, P. E.
Director
Superfund Division

Date: 2/17/07

It is so ORDERED. This Order shall become effective upon filing of the fully executed Complaint and Expedited Settlement Agreement.

Richard E. Greene
Regional Administrator

Date: _____

SIGNATURE BY RESPONDENT:

Signature: _____

Date: _____

Name (print): _____

Title (print): _____

Cost of Corrective Actions: _____



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TEXAS 75202-2733

EXPEDITED SETTLEMENT AGREEMENT (ESA)

DOCKET NO: 06-2007-3564

This complaint is issued to: Double D Foods

At: 7300 Southwest 29th Street, Oklahoma City, OK
for violating Section 112(r)(7) of the Clean Air Act.

~~This Expedited Settlement Agreement (ESA) is being entered into by the United States Environmental Protection Agency (EPA), Region 6, by its duly delegated official, the Director, Superfund Division, and by Respondent pursuant to Section 113(d)(2) and (d) of the Clean Air Act (the Act), 42 U.S.C. § 7413(a)(3) and (d), and by 40 C.F.R. § 22.13(b). On August 13, 2003, EPA obtained the concurrence of the U.S. Department of Justice, pursuant to Section 113(d)(1) of the Act, 42 U.S.C. § 7413(d)(1), to pursue this administrative enforcement action.~~

On May 23, 2007, an authorized representative of the EPA conducted a compliance inspection of the subject facility (Respondent) to determine compliance with the Risk Management Plan (RMP) regulations promulgated at 40 C.F.R. Part 68 under Section 112(r) of the Act. EPA found that the Respondent had violated regulations implementing Section 112(r) of the Act by failing to comply with the regulations as noted on the attached RISK MANAGEMENT PLAN INSPECTION FINDINGS, ALLEGED VIOLATIONS AND PROPOSED PENALTY SHEET ("FORM"), which is hereby incorporated by reference.

SETTLEMENT

In consideration of Respondent's size of business, its full compliance history, its good faith effort to comply, and other factors as justice may require, and upon consideration of the entire record the parties enter into the ESA in order to settle the violations, described in the attached FORM for the total penalty amount of **\$1,140.00**.

This settlement is subject to the following terms and conditions:

The Respondent by signing below waives any objections that it may have regarding jurisdiction, neither admits nor denies the specific factual allegations contained herein, and consents to the assessment of the penalty as stated above. Respondent waives its rights to a hearing afforded by Section 113(d)(2)(A) of the Act, 42 U.S.C §7413(d)(2)(A), and to appeal this ESA. Each party to this action shall bear its own costs and fees, if any. Respondent also certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that the Respondent has corrected the violations listed in the attached FORM and has sent a cashier's check or certified check (payable to the "Treasurer, United States of America") in the amount of **\$1,140.00** in payment of the full penalty amount to the following address:

U.S. EPA Region 6
Regional Hearing Clerk (RC-HO)
P.O. Box 371099M
Pittsburgh, PA 15251

The DOCKET NUMBER OF THIS EXPEDITED SETTLEMENT AGREEMENT must be included on the certified check. (The DOCKET NUMBER is located at the top left corner of this Expedited Settlement Agreement.)

This original Settlement Agreement and a copy of the certified check must be sent by certified mail to:

Elizabeth R. Rogers
RMP 112(r) Compliance Officer
Superfund Division (6SF-PC)
U.S. Environmental Protection Agency Region 6
1445 Ross Avenue, 12th Floor
Dallas, Texas 75202-2733

Upon the Respondent's signing and submission of this Settlement Agreement, EPA will take no further action against the Respondent for the alleged violations of the Clean Air Act described in the above Form. EPA does not waive any enforcement action by EPA for any other past, present, or future violations under the Clean Air Act or any other statute.

If the Settlement Agreement with an attached copy of the certified check is not returned to the EPA Region 6 office at the above address in correct form by the Respondent within 45 days of the date of the receipt of this Settlement Agreement, the Complaint and Expedited Settlement Agreement is withdrawn, without prejudice to EPA's ability to file additional enforcement actions for the violations identified in this Settlement Agreement.

Respondent has the right to request a hearing on any material fact or on the appropriateness of the penalty contained in this complaint pursuant to 40 CFR § 22.14. Upon signing and returning of this Settlement Agreement to EPA, the Respondent waives the opportunity for a hearing pursuant to Section 113(d)(2)(A) of the Clean Air Act, ~~42 U.S.C. § 7413(d)(2)(A)~~.

This Settlement Agreement is binding on the EPA and the Respondent signing below. By signing below, the Respondent waives any objections to EPA's jurisdiction with respect to the Settlement Agreement and consents to EPA's approval of this Settlement Agreement without further notice. This Settlement Agreement is effective upon the Regional Administrator's signature.

Samuel Coleman, P. E.
Director
Superfund Division

Date: _____

It is so ORDERED. This Order shall become effective upon filing of the fully executed Complaint and Expedited Settlement Agreement.

Richard E. Greene
Regional Administrator

Date: _____

SIGNATURE BY RESPONDENT:

Signature: _____

Date: _____

Name (print): _____

Title (print): _____

Cost of Corrective Actions: _____



U.S. ENVIRONMENTAL PROTECTION AGENCY
1445 ROSS AVE., SUITE 1200
DALLAS, TX 75202-2733

**Double D Foods
Oklahoma City, OK
PROPOSED PENALTY WORKSHEET**

$$\text{\$1,140.00} = \text{\$1,900.00}(0.6)$$

Adjusted Penalty = Unadjusted Penalty X Size-Threshold Quantity Multiplier

The Unadjusted Penalty is calculated by adding up all the penalties listed on the Risk Management Program Inspections Findings, Alleged Violations and Proposed Penalty Sheet.

The Size-Threshold Quantity multiplier is a factor that considers the size of the facility and the amount of regulated chemicals at the facility.

The Proposed Penalty is the amount of the non-negotiable penalty that is calculated by multiplying the Total Penalty and the Size/Threshold Quantity multiplier.

Example:

XYZ Facility has 24 employees and 7 times the threshold amount for the particular chemical in question. After adding the penalty numbers in the Risk Management Program Inspection Findings, Alleged Violations and Proposed Penalty Sheet an unadjusted penalty of \$4700 is derived.

Calculation of Adjusted Penalty

1st Reference the Multipliers for calculating proposed penalties for violations found during RMP inspection matrix. Finding the column for 21-50 employees and the row for 5- 10 times the threshold quantity amount gives a multiplier factor of 0.4. Therefore, the multiplier for XYZ Facility = 0.4.

2nd Use the Adjusted Penalty formula

Adjusted Penalty = \$4700 (Unadjusted Penalty) X 0.4 (Size-Threshold Multiplier)

Adjusted Penalty = \$1880

3rd An Adjusted Penalty of \$1880 would be assessed to XYZ Facility for Violations found during the RMP Compliance Inspection. This amount will be found in the Complaint and Expedited Settlement Agreement (ESA)



U.S. Environmental Protection Agency
Region 6
1445 Ross Ave., Suite 1200
Dallas, TX 75202-2733

RISK MANAGEMENT PROGRAM INSPECTION FINDINGS, ALLEGED VIOLATIONS AND PROPOSED PENALTY SHEET

REASON FOR INSPECTION: This inspection is for the purpose of determining compliance with Section 112(r)(7) accidental release prevention requirements of the Clean Air Act, as amended 1990. The scope of this inspection may include, but is not limited to: reviewing and obtaining copies of documents and records; interviews and taking of statements; reviewing of chemical storage, handling, processing, and use; taking samples and photographs; and any other inspection activities necessary to determine compliance with the Act.

Facility Name: Double D Foods	<input checked="" type="checkbox"/> Private # of Employees: 140 Contractors/Others:	<input type="checkbox"/> Government/Municipal Population Served: 0
Mailing Address: 418 Benzel Ave. Madelia, MN 56062	Inspection Start Date and Time: May 23, 2007 at 8:30 AM	
Physical Address: 7300 Southwest 29th Street Oklahoma City, OK 73179	Inspection End Date and Time: May 23, 2007 at 5:00 PM	
E-Mail Address:		
Responsible Official, Title, Phone Number: Mr. Dan Messner, Maintenance Mgr, (405) 745-3471	EPA Facility ID#: 1000 0019 1464	
Facility Representative(s), Title(s), Phone Number(s): Mr. Jason Malmgren, Maintenance Mgr, (405) 745-3471 Mr. Jerry Sharp, Refrigeration Mgr	Inspector Name(s), Title(s), Phone Number(s): Bill Andrews, RMP Inspector (214) 665-6493	
Inspection Report Reviewer Signature _____ Date _____	Inspector Signature _____	Date _____

Inspection Findings

IS FACILITY SUBJECT TO RMP REGULATION (40 CFR 68)?		<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N
DID FACILITY SUBMIT (AND UPDATE) AN RMP AS PROVIDED IN 68.150 TO 68.185? DATE INITIAL RMP FILED WITH EPA: 4/12/2005		<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N
DATE OF LATEST RMP: 4/12/2005			
1) PROCESS/NAICS CODE: Perishable Prepared Food Manufacturing/311991	PROGRAM LEVEL: 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input checked="" type="checkbox"/>		
REGULATED SUBSTANCE: Ammonia (anhydrous)	MAXIMUM QUANTITY IN PROCESS: 11400 (lbs)		
2) PROCESS/NAICS CODE:	PROGRAM LEVEL: 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/>		
REGULATED SUBSTANCE:	MAXIMUM QUANTITY IN PROCESS: (lbs)		
3) PROCESS/NAICS CODE:	PROGRAM LEVEL: 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/>		
REGULATED SUBSTANCE:	MAXIMUM QUANTITY IN PROCESS: (lbs)		
4) PROCESS/NAICS CODE:	PROGRAM LEVEL: 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/>		
REGULATED SUBSTANCE:	MAXIMUM QUANTITY IN PROCESS: (lbs)		
5) PROCESS/NAICS CODE:	PROGRAM LEVEL: 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/>		
REGULATED SUBSTANCE:	MAXIMUM QUANTITY IN PROCESS: (lbs)		
DID THE FACILITY CORRECTLY ASSIGN PROGRAM LEVELS TO PROCESSES?		<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N

ATTACHED CHECKLIST(S):

☐ PROGRAM LEVEL 1 CHECKLIST

☐ PROGRAM LEVEL 2 CHECKLIST

☒ PROGRAM LEVEL 3 CHECKLIST

OTHER ATTACHMENTS:

COMMENTS: **ALSO ATTENDING: ED CALLIHAN, BASIN ENVIRONMENTAL**

RMP Program Level 3 Process ChecklistFacility Name: Double D Foods, OK City, OK**RISK MANAGEMENT PROGRAM INSPECTION FINDINGS, ALLEGED VIOLATIONS AND PROPOSED PENALTY SHEET****Section A – Management [68.15]**Management system developed and implemented as provided in 40 CFR 68.15?
Comments:☒S ☐M ☐U ☐N/A

Has the owner or operator:

- | | |
|--|---|
| 1. Developed a management system to oversee the implementation of the risk management program elements? [68.15(a)] | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A |
| 2. Assigned a qualified person or position that has the overall responsibility for the development, implementation, and integration of the risk management program elements? [68.15(b)] | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A |
| 3. Documented other persons responsible for implementing individual requirements of the risk management program and defined the lines of authority through an organization chart or similar document? [68.15(c)] | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A |

Section B: Hazard Assessment [68.20-68.42]Hazard assessment conducted and documented as provided in 40 CFR 68.20-68.42?
Comments:☐S ☐M ☒U ☐N/A**Hazard Assessment: Offsite consequence analysis parameters [68.22]**

- | | |
|--|---|
| 1. Used the following endpoints for offsite consequence analysis for a worst-case scenario: [68.22(a)]
<input checked="" type="checkbox"/> For toxics: the endpoints provided in Appendix A of 40 CFR Part 68? [68.22(a)(1)]
<input type="checkbox"/> For flammables: an explosion resulting in an overpressure of 1 psi? [68.22(a)(2)(i)]; or
<input type="checkbox"/> For flammables: a fire resulting in a radiant heat/exposure of 5 kw/m ² for 40 seconds? [68.22(a)(2)(ii)]
<input type="checkbox"/> For flammables: a concentration resulting in a lower flammability limit, as provided in NFPA documents or other generally recognized sources? [68.22(a)(2)(iii)] | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A |
| 2. Used the following endpoints for offsite consequence analysis for an alternative release scenario: [68.22(a)]
<input checked="" type="checkbox"/> For toxics: the endpoints provided in Appendix A of 40 CFR Part 68? [68.22(a)(1)]
<input type="checkbox"/> For flammables: an explosion resulting in an overpressure of 1 psi? [68.22(a)(2)(i)]
<input type="checkbox"/> For flammables: a fire resulting in a radiant heat/exposure of 5 kw/m ² for 40 seconds? [68.22(a)(2)(ii)]
<input type="checkbox"/> For flammables: a concentration resulting in a lower flammability limit, as provided in NFPA documents or other generally recognized sources? [68.22(a)(2)(iii)] | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A |
| 3. Used appropriate wind speeds and stability classes for the release analysis? [68.22(b)] | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A |
| 4. Used appropriate ambient temperature and humidity values for the release analysis? [68.22(c)] | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A |
| 5. Used appropriate values for the height of the release for the release analysis? [68.22(d)] | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A |
| 6. Used appropriate surface roughness values for the release analysis? [68.22(e)] | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A |
| 7. Do tables and models, used for dispersion analysis of toxic substances, appropriately account for dense or neutrally buoyant gases? [68.22(f)] | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A |
| 8. Were liquids, other than gases liquefied by refrigeration only, considered to be released at the highest daily maximum temperature, based on data for the previous three years appropriate for a stationary source, or at process temperature, whichever is higher? [68.22(g)] | <input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A |

RMP Program Level 3 Process Checklist
Facility Name: Double D Foods, OK City, OK
RISK MANAGEMENT PROGRAM INSPECTION FINDINGS, ALLEGED VIOLATIONS AND PROPOSED PENALTY SHEET

13.c.(6) Determined the rate of release to air by using the methodology in the RMP Offsite Consequence Analysis Guidance, any other publicly available techniques that account for the modeling conditions and are recognized by industry as applicable as part of current practices, or proprietary models that account for the modeling conditions may be used provided the owner or operator allows the implementing agency access to the model and describes model features and differences from publicly available models to local emergency planners upon request? [68.25(d)(3)] What modeling technique did the owner or operator use? [68.25(g)] _____	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
---	---

13.d. Has the owner or operator for flammables:

13.d.(1) Assumed the quantity in a vessel(s) of flammable gas held as a gas or liquid under pressure or refrigerated gas released to an undiked area vaporizes resulting in a vapor cloud explosion? [68.25(e)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
---	---

13.d.(2) For refrigerated gas released to a contained area or liquids released below their atmospheric boiling point, assumed the quantity volatilized in 10 minutes results in a vapor cloud? [68.25(f)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
---	---

13.d.(3) Assumed a yield factor of 10% of the available energy is released in the explosion for determining the distance to the explosion endpoint, if the model used is based on TNT-equivalent methods? [68.25(e)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
--	---

14. Used the parameters defined in 68.22 to determine distance to the endpoints? [68.25(g)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
---	---

15. Determined the rate of release to air by using the methodology in the RMP Offsite Consequence Analysis Guidance, any other publicly available techniques that account for the modeling conditions and are recognized by industry as applicable as part of current practices, or proprietary models that account for the modeling conditions may be used provided the owner or operator allows the implementing agency access to the model and describes model features and differences from publicly available models to local emergency planners upon request? [68.25(g)] What modeling technique did the owner or operator use? [68.25(g)] <u>RMP Comp</u>	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
---	---

16. Ensured that the passive mitigation system, if considered, is capable of withstanding the release event triggering the scenario and will still function as intended? [68.25(h)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
---	---

17. Considered also the following factors in selecting the worst-case release scenarios: [68.25(i)] <input type="checkbox"/> Smaller quantities handled at higher process temperature or pressure? [68.25(i)(1)] <input type="checkbox"/> Proximity to the boundary of the stationary source? [68.25(i)(2)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
---	---

Hazard Assessment: Alternative release scenario analysis [68.28]

18. Identified and analyzed at least one alternative release scenario for each regulated toxic substance held in a covered process(es) and at least one alternative release scenario to represent all flammable substances held in covered processes? [68.28(a)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
--	---

19. Selected a scenario: [68.28(b)] <input checked="" type="checkbox"/> That is more likely to occur than the worst-case release scenario under 68.25? [68.28(b)(1)(i)] <input type="checkbox"/> That will reach an endpoint off-site, unless no such scenario exists? [68.28(b)(1)(ii)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
--	---

20. Considered release scenarios which included, but are not limited to, the following: [68.28(b)(2)] <input checked="" type="checkbox"/> Transfer hose releases due to splits or sudden hose uncoupling? [68.28(b)(2)(i)] <input checked="" type="checkbox"/> Process piping releases from failures at flanges, joints, welds, valves and valve seals, and drains or bleeds? [68.28(b)(2)(ii)] <input checked="" type="checkbox"/> Process vessel or pump releases due to cracks, seal failure, or drain, bleed, or plug failure? [68.28(b)(2)(iii)] <input checked="" type="checkbox"/> Vessel overfilling and spill, or overpressurization and venting through relief valves or rupture disks? [68.28(b)(2)(iv)] <input checked="" type="checkbox"/> Shipping container mishandling and breakage or puncturing leading to a spill? [68.28(b)(2)(v)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
---	---

RMP Program Level 3 Process ChecklistFacility Name: Double D Foods, OK City, OK**RISK MANAGEMENT PROGRAM INSPECTION FINDINGS, ALLEGED VIOLATIONS AND PROPOSED PENALTY SHEET**

21. Used the parameters defined in 68.22 to determine distance to the endpoints? [68.28(c)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
22. Determined the rate of release to air by using the methodology in the RMP Offsite Consequence Analysis Guidance, any other publicly available techniques that account for the modeling conditions and are recognized by industry as applicable as part of current practices, or proprietary models that account for the modeling conditions may be used provided the owner or operator allows the implementing agency access to the model and describes model features and differences from publicly available models to local emergency planners upon request? [68.28(c)] What modeling technique did the owner or operator use? [68.25(g)] <u>RMP Comp</u>	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
23. Ensured that the passive and active mitigation systems, if considered, are capable of withstanding the release event triggering the scenario and will be functional? [68.28(d)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
24. Considered the following factors in selecting the alternative release scenarios: [68.28(e)] <input type="checkbox"/> The five-year accident history provided in 68.42? [68.28(e)(1)] <input type="checkbox"/> Failure scenarios identified under 68.50? [68.28(e)(2)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A

Hazard Assessment: Defining off-site impacts–Population [68.30]

25. Estimated population that would be included in the distance to the endpoint in the RMP based on a circle with the point of release at the center? [68.30(a)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
26. Identified the presence of institutions, parks and recreational areas, major commercial, office, and industrial buildings in the RMP? [68.30(b)] (b) (5) (b) (5)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> N/A
27. Used most recent Census data, or other updated information to estimate the population? [68.30(c)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
28. Estimated the population to two significant digits? [68.30(d)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A

Hazard Assessment: Defining off-site impacts–Environment [68.33]

29. Identified environmental receptors that would be included in the distance to the endpoint based on a circle with the point of release at the center? [68.33(a)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
30. Relied on information provided on local U.S.G.S. maps, or on any data source containing U.S.G.S. data to identify environmental receptors? [Source may have used LandView to obtain information] [68.33(b)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A

Hazard Assessment: Review and update [68.36]

31. Reviewed and updated the off-site consequence analyses at least once every five years? [68.36(a)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
32. Completed a revised analysis and submit a revised RMP within six months of a change in processes, quantities stored or handled, or any other aspect that might reasonably be expected to increase or decrease the distance to the endpoint by a factor of two or more? [68.36(b)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A

Hazard Assessment: Documentation [68.39]

33. For worst-case scenarios: a description of the vessel or pipeline and substance selected, assumptions and parameters used, the rationale for selection, and anticipated effect of the administrative controls and passive mitigation on the release quantity and rate? [68.39(a)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
34. For alternative release scenarios: a description of the scenarios identified, assumptions and parameters used, the rationale for the selection of specific scenarios, and anticipated effect of the administrative controls and mitigation on the release quantity and rate? [68.39(b)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
35. Documentation of estimated quantity released, release rate, and duration of release? [68.39(c)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
36. Methodology used to determine distance to endpoints? [68.39(d)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A

RMP Program Level 3 Process ChecklistFacility Name: Double D Foods, OK City, OK**RISK MANAGEMENT PROGRAM INSPECTION FINDINGS, ALLEGED VIOLATIONS AND PROPOSED PENALTY SHEET**37. Data used to estimate population and environmental receptors potentially affected? [68.39(e)] ☒ Y ☐ N ☐ N/A**Hazard Assessment: Five-year accident history [68.42]**38. Has the owner or operator included all accidental releases from covered processes that resulted in deaths, injuries, or significant property damage on site, or known offsite deaths, injuries, evacuations, sheltering in place, property damage, or environmental damage? [68.42(a)] ☐ Y ☐ N ☒ N/A

39. Has the owner or operator reported the following information for each accidental release: [68.42(b)] ☐ Y ☐ N ☒ N/A

- ☐ Date, time, and approximate duration of the release? [68.42(b)(1)]
- ☐ Chemical(s) released? [68.42(b)(2)]
- ☐ Estimated quantity released in pounds and percentage weight in a mixture (toxics)? [68.42(b)(3)]
- ☐ NAICS code for the process? [68.42(b)(4)]
- ☐ The type of release event and its source? [68.42(b)(5)]
- ☐ Weather conditions (if known)? [68.42(b)(6)]
- ☐ On-site impacts? [68.42(b)(7)]
- ☐ Known offsite impacts? [68.42(b)(8)]
- ☐ Initiating event and contributing factors (if known)? [68.42(b)(9)]
- ☐ Whether offsite responders were notified (if known)? [68.42(b)(10)]
- ☐ Operational or process changes that resulted from investigation of the release? [68.42(b)(11)]

Section C: Prevention ProgramImplemented the Program 3 prevention requirements as provided in 40 CFR 68.65 - 68.87? ☐ S ☐ M ☒ U ☐ N/A
Comments:**Prevention Program- Safety information [68.65]**

1. Has the owner or operator compiled written process safety information, which includes information pertaining to the hazards of the regulated substances used or produced by the process, information pertaining to the technology of the process, and information pertaining to the equipment in the process, before conducting any process hazard analysis required by the rule? [68.65(a)] ☒ Y ☐ N ☐ N/A

Does the process safety information contain the following for hazards of the substances: [68.65(b)]

- ☒ Material Safety Data Sheets (MSDS) that meet the requirements of the OSHA Hazard Communication Standard [29 CFR 1910.1200(g)]? [68.65(b)(1)]
- ☒ Toxicity information? [68.65(b)(1)]
- ☒ Permissible exposure limits? [68.65(b)(2)]
- ☒ Physical data? [68.65(b)(3)]
- ☒ Reactivity data? [68.65(b)(4)]
- ☒ Corrosivity data? [68.65(b)(5)]
- ☒ Thermal and chemical stability data? [68.65(b)(6)]
- ☒ Hazardous effects of inadvertent mixing of materials that could foreseeably occur? [68.65(b)(7)]

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2. Has the owner documented information pertaining to technology of the process? <input checked="" type="checkbox"/> A block flow diagram or simplified process flow diagram? [68.65(c)(1)(i)] <input checked="" type="checkbox"/> Process chemistry? [68.65(c)(1)(ii)] <input checked="" type="checkbox"/> Maximum intended inventory? [68.65(c)(1)(iii)] <input checked="" type="checkbox"/> Safe upper and lower limits for such items as temperatures, pressures, flows, or compositions? [68.65(c)(1)(iv)] <input checked="" type="checkbox"/> An evaluation of the consequences of deviation? [68.65(c)(1)(iv)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
3. Does the process safety information contain the following for the equipment in the process: [68.65(d)(1)] <input checked="" type="checkbox"/> Materials of construction? 68.65(d)(1)(i)] <input checked="" type="checkbox"/> Piping and instrumentation diagrams [68.65(d)(1)(ii)] <input checked="" type="checkbox"/> Electrical classification? [68.65(d)(1)(iii)] <input checked="" type="checkbox"/> Relief system design and design basis? [68.65(d)(1)(iv)] <input checked="" type="checkbox"/> Ventilation system design? [68.65(d)(1)(v)] <input checked="" type="checkbox"/> Design codes and standards employed? [68.65(d)(1)(vi)] <input checked="" type="checkbox"/> Material and energy balances for processes built after June 21, 1999? [68.65(d)(1)(vii)] <input checked="" type="checkbox"/> Safety systems? [68.65(d)(1)(viii)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
4. Has the owner or operator documented that equipment complies with recognized and generally accepted good engineering practices? [68.65(d)(2)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
5. Has the owner or operator determined and documented that existing equipment, designed and constructed in accordance with codes, standards, or practices that are no longer in general use, is designed, maintained, inspected, tested, and operating in a safe manner? [68.65(d)(3)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A

Prevention Program- Process Hazard Analysis [68.67]

6. Has the owner or operator performed an initial process hazard analysis (PHA), and has this analysis identified, evaluated, and controlled the hazards involved in the process? [68.67(a)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
7. Has the owner or operator determined and documented the priority order for conducting PHAs, and was it based on an appropriate rationale? [68.67(a)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
8. Has the owner used one or more of the following technologies to conduct process PHA: [68.67(b)] <input type="checkbox"/> What-if? [68.67(b)(1)] <input type="checkbox"/> Checklist? [68.67(b)(2)] <input checked="" type="checkbox"/> What-if/Checklist? [68.67(b)(3)] <input type="checkbox"/> Hazard and Operability Study (HAZOP) [68.67(b)(4)] <input type="checkbox"/> Failure Mode and Effects Analysis (FMEA) [68.67(b)(5)] <input type="checkbox"/> Fault Tree Analysis? [68.67(b)(6)] <input type="checkbox"/> An appropriate equivalent methodology? [68.67(b)(7)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A

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9. Did the PHA address: <input checked="" type="checkbox"/> The hazards of the process? [68.67(c)(1)] <input checked="" type="checkbox"/> Identification of any incident that had a likely potential for catastrophic consequences? [68.67(c)(2)] <input checked="" type="checkbox"/> Engineering and administrative controls applicable to hazards and interrelationships?[68.67(c)(3)] <input checked="" type="checkbox"/> Consequences of failure of engineering and administrative controls? [68.67(c)(4)] <input checked="" type="checkbox"/> Stationary source siting? [68.67(c)(5)] <input checked="" type="checkbox"/> Human factors? [68.67(c)(6)] <input checked="" type="checkbox"/> An evaluation of a range of the possible safety and health effects of failure of controls? [68.67(c)(7)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
10. Was the PHA performed by a team with expertise in engineering and process operations and did the team include appropriate personnel? [68.67(d)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
11. Has the owner or operator established a system to promptly address the team's findings and recommendations; assured that the recommendations are resolved in a timely manner and documented; documented what actions are to be taken; completed actions as soon as possible; developed a written schedule of when these actions are to be completed; and communicated the actions to operating, maintenance, and other employees whose work assignments are in the process and who may be affected by the recommendations? [68.67(e)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
12. Has the PHA been updated and revalidated by a team every five years after the completion of the initial PHA to assure that the PHA is consistent with the current process? [68.67(f)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
13. Has the owner or operator retained PHAs and updates or revalidations for each process covered, as well as the resolution of recommendations for the life of the process? [68.67(g)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
Prevention Program- Operating procedures [68.69]	
14. Has the owner or operator developed and implemented written operating procedures that provide instructions or steps for conducting activities associated with each covered process consistent with the safety information? [68.69(a)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A

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15 Do the procedures address the following: [68.69(a)] <u>Steps for each operating phase: [68.69(a)(1)]</u> <input checked="" type="checkbox"/> Initial Startup? [68.69(a)(1)(i)] <input checked="" type="checkbox"/> Normal operations? [68.69(a)(1)(ii)] <input checked="" type="checkbox"/> Temporary operations? [68.69(a)(1)(iii)] <input checked="" type="checkbox"/> Emergency shutdown including the conditions under which emergency shutdown is required, and the assignment of shutdown responsibility to qualified operators to ensure that emergency shutdown is executed in a safe and timely manner? [68.69(a)(1)(iv)] <input checked="" type="checkbox"/> Emergency operations? [68.69(a)(1)(v)] <input checked="" type="checkbox"/> Normal shutdown? [68.69(a)(1)(vi)] <input checked="" type="checkbox"/> Startup following a turnaround, or after emergency shutdown? [68.69(a)(1)(vii)] <u>Operating limits: [68.69(a)(2)]</u> <input checked="" type="checkbox"/> Consequences of deviations [68.69(a)(2)(i)] <input checked="" type="checkbox"/> Steps required to correct or avoid deviation? [68.69(a)(2)(ii)] <u>Safety and health considerations: [68.69(a)(3)]</u> <input checked="" type="checkbox"/> Properties of, and physical hazards presented by, the chemicals used in the process [68.69(a)(3)(i)] <input checked="" type="checkbox"/> Precautions necessary to prevent exposure, including engineering controls, administrative controls, and personal protective equipment? [68.69(a)(3)(ii)] <input checked="" type="checkbox"/> Control measures to be taken if physical contact or airborne exposure occurs? [68.69(a)(3)(iii)] <input checked="" type="checkbox"/> Quality control for raw materials and control of hazardous chemical inventory levels? [68.69(a)(3)(iv)] <input checked="" type="checkbox"/> Any special or unique hazards? [68.69(a)(3)(v)] <input checked="" type="checkbox"/> Safety systems and their functions? [68.69(a)(4)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
16. Are operating procedures readily accessible to employees who are involved in a process? [68.69(b)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
17. Has the owner or operator certified annually that the operating procedures are current and accurate and that procedures have been reviewed as often as necessary? [68.69(c)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
18. Has the owner or operator developed and implemented safe work practices to provide for the control of hazards during specific operations, such as lockout/tagout? [68.69(d)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
Prevention Program - Training [68.71]	
19 Has each employee involved in operating a process, and each employee before being involved in operating a newly assigned process, been initially trained in an overview of the process and in the operating procedures? [68.71(a)(1)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
20. Did initial training include emphasis on safety and health hazards, emergency operations including shutdown, and safe work practices applicable to the employee's job tasks? [68.71(a)(1)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
21. In lieu of initial training for those employees already involved in operating a process on June 21, 1999, an owner or operator may certify in writing that the employee has the required knowledge, skills, and abilities to safely carry out the duties and responsibilities as specified in the operating procedures [68.71(a)(2)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
22. Has refresher training been provided at least every three years, or more often if necessary, to each employee involved in operating a process to assure that the employee understands and adheres to the current operating procedures of the process? [68.71(b)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A

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23. Has owner or operator ascertained and documented in record that each employee involved in operating a process has received and understood the training required? [68.71(c)] No Documentation. The facility must create and retain documentation of this activity.	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> N/A (b) (5)
24. Does the prepared record contain the identity of the employee, the date of the training, and the means used to verify that the employee understood the training? [68.71(c)] No Documentation.	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> N/A
Prevention Program - Mechanical Integrity [68.73]	
25. Has the owner or operator established and implemented written procedures to maintain the on-going integrity of the process equipment listed in 68.73(a)? [68.73(b)] In process of installing a PMMS.	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> N/A (b) (5)
26. Has the owner or operator trained each employee involved in maintaining the on-going integrity of process equipment? [68.73(c)] see #25	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
27. Performed inspections and tests on process equipment? [68.73(d)(1)] see #25	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
28. Followed recognized and generally accepted good engineering practices for inspections and testing procedures? [68.73(d)(2)] see #25	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
29. Ensured the frequency of inspections and tests of process equipment is consistent with applicable manufacturers' recommendations, good engineering practices, and prior operating experience? [68.73(d)(3)] see #25	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
30. Documented each inspection and test that had been performed on process equipment, which identifies the date of the inspection or test, the name of the person who performed the inspection or test, the serial number or other identifier of the equipment on which the inspection or test was performed, a description of the inspection or test performed, and the results of the inspection or test? [68.73(d)(4)] see #25	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
31. Corrected deficiencies in equipment that were outside acceptable limits defined by the process safety information before further use or in a safe and timely manner when necessary means were taken to assure safe operation? [68.73(e)] see #25	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
32. Assured that equipment as it was fabricated is suitable for the process application for which it will be used in the construction of new plants and equipment? [68.73(f)(1)] see #25	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
33. Performed appropriate checks and inspections to assure that equipment was installed properly and consistent with design specifications and the manufacturer's instructions? [68.73(f)(2)] see #25	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
34. Assured that maintenance materials, spare parts and equipment were suitable for the process application for which they would be used? [68.73(f)(3)] see #25	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
Prevention Program - Management Of Change [68.75]	
35. Has the owner or operator established and implemented written procedures to manage changes to process chemicals, technology, equipment, and procedures, and changes to stationary sources that affect a covered process? [68.75(a)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
36. Do procedures assure that the following considerations are addressed prior to any change: [68.75(b)] <input checked="" type="checkbox"/> The technical basis for the proposed change? [68.75(b)(1)] <input checked="" type="checkbox"/> Impact of change on safety and health? [68.75(b)(2)] <input checked="" type="checkbox"/> Modifications to operating procedures? [68.75(b)(3)] <input checked="" type="checkbox"/> Necessary time period for the change? [68.75(b)(4)] <input type="checkbox"/> Authorization requirements for the proposed change? [68.75(b)(5)] Routing requirements not defined for various levels of changes. Process only required one signature for any change.	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> N/A
37. Were employees, involved in operating a process and maintenance, and contract employees, whose job tasks would be affected by a change in the process, informed of, and trained in, the change prior to start-up of the process or affected parts of the process? [68.75(c)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A

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38. If a change resulted in a change in the process safety information, was such information updated accordingly? [68.75(d)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
39. If a change resulted in a change in the operating procedures or practices, had such procedures or practices been updated accordingly? [68.75(e)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A

Prevention Program - Pre-startup Safety Review [68.77]

40. If the facility installed a new stationary source, or significantly modified an existing source, (as discussed at 68.77(a)) did it perform a pre-startup safety review prior to the introduction of a regulated substance to a process to confirm: [68.77(b)] <input checked="" type="checkbox"/> Construction and equipment was in accordance with design specifications? [68.77(b)(1)] <input checked="" type="checkbox"/> Safety, operating, maintenance, and emergency procedures were in place and were adequate? [68.77(b)(2)] <input checked="" type="checkbox"/> For new stationary sources, a process hazard analysis had been performed and recommendations had been resolved or implemented before startup? [68.77(b)(3)] <input checked="" type="checkbox"/> Modified stationary sources meet the requirements contained in management of change? [68.77(b)(3)] <input checked="" type="checkbox"/> Training of each employee involved in operating a process had been completed? [68.77(b)(4)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
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Prevention Program - Compliance audits [68.79]

41. Has the owner or operator certified that the stationary source has evaluated compliance with the provisions of the prevention program at least every three years to verify that the developed procedures and practices are adequate and being followed? [68.79(a)] New process, not due to 4/2008.	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
42. Has the audit been conducted by at least one person knowledgeable in the process? [68.79(b)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
43. Are the audit findings documented in a report? [68.79(c)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
44. Has the owner or operator promptly determined and documented an appropriate response to each of the findings of the audit and documented that deficiencies had been corrected? [68.79(d)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
45. Has the owner or operator retained the two most recent compliance reports? [68.79(e)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A

Prevention Program - Incident investigation [68.81]

46. Has the owner or operator investigated each incident that resulted in, or could reasonably have resulted in a catastrophic release of a regulated substance? [68.81(a)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
47. Were all incident investigations initiated not later than 48 hours following the incident? [68.81(b)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
48. Was an accident investigation team established and did it consist of at least one person knowledgeable in the process involved, including a contract employee if the incident involved work of a contractor, and other persons with appropriate knowledge and experience to thoroughly investigate and analyze the incident? [68.81(c)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
49. Was a report prepared at the conclusion of every investigation? [68.81(d)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
50. Does every report include: [68.81(d)] <input type="checkbox"/> Date of incident? [68.81(d)(1)] <input type="checkbox"/> Date investigation began? [68.81(d)(2)] <input type="checkbox"/> A description of the incident? [68.81(d)(3)] <input type="checkbox"/> The factors that contributed to the incident? [68.81(d)(4)] <input type="checkbox"/> Any recommendations resulting from the investigation? [68.81(d)(5)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A

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51. Has the owner or operator established a system to address and resolve the report findings and recommendations, and are the resolutions and corrective actions documented? [68.81(e)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
52. Was the report reviewed with all affected personnel whose job tasks are relevant to the incident findings including contract employees where applicable? [68.81(f)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
53. Has the owner or operator retained incident investigation reports for at least five years? [68.81(g)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A

Section D - Employee Participation [68.83]

1. Has the owner or operator developed a written plan of action regarding the implementation of the employee participation required by this section? [68.83(a)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
2. Has the owner or operator consulted with employees and their representatives on the conduct and development of process hazards analyses and on the development of the other elements of process safety management in chemical accident prevention provisions? [68.83(b)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
3. Has the owner or operator provided to employees and their representatives access to process hazards analyses and to all other information required to be developed under the chemical accident prevention rule? [68.83(c)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A

Section E - Hot Work Permit [68.85]

1. Has the owner or operator issued a hot work permit for each hot work operation conducted on or near a covered process? [68.85(a)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
2. Does the permit document that the fire prevention and protection requirements in 29CFR 1910.252(a) have been implemented prior to beginning the hot work operations? [68.85(b)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
3. Does the permit indicate the date(s) authorized for hot work and the object(s) upon which hot work is to be performed? [68.85(b)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
4. Are the permits being kept on file until completion of the hot work operations? [68.85(b)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A

Section F - Contractors [68.87]

1. Has the owner or operator obtained and evaluated information regarding the contract owner or operator's safety performance and programs when selecting a contractor? [68.87(b)(1)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
2. Informed contract owner or operator of the known potential fire, explosion, or toxic release hazards related to the contractor's work and the process? [68.87(b)(2)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
3. Explained to the contract owner or operator the applicable provisions of the emergency response or the emergency action program? [68.87(b)(3)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
4. Developed and implemented safe work practices consistent with §68.69(d), to control the entrance, presence, and exit of the contract owner or operator and contract employees in the covered process areas? [68.87(b)(4)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
5. Periodically evaluated the performance of the contract owner or operator in fulfilling their obligations (as described at 68.87(c)(1) – (c)(5))? [68.87(b)(5)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A

Section G - Emergency Response [68.90 - 68.95]

Developed and implemented an emergency response program as provided in 40 CFR 68.90-68.95? Comments:	<input checked="" type="checkbox"/> S <input type="checkbox"/> M <input type="checkbox"/> U <input type="checkbox"/> N/A
1. Is the facility designated as a "first responder" in case of an accidental release of regulated substances?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> N/A
1.a. If the facility is not a first responder:	

RMP Program Level 3 Process ChecklistFacility Name: Double D Foods, OK City, OK**RISK MANAGEMENT PROGRAM INSPECTION FINDINGS, ALLEGED VIOLATIONS AND PROPOSED PENALTY SHEET**

1.a.(1) For stationary sources with any regulated substances held in a process above threshold quantities, is the source included in the community emergency response plan developed under 42 U.S.C. 11003? [68.90(b)(1)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
1.a.(2) For stationary sources with only regulated flammable substances held in a process above threshold quantities, has the owner or operator coordinated response actions with the local fire department? [68.90(b)(2)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
1.a.(3) Are appropriate mechanisms in place to notify emergency responders when there is need for a response? [68.90(b)(3)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
2. An emergency response plan is maintained at the stationary source and contains the following? [68.95(a)(1)] <input type="checkbox"/> Procedures for informing the public and local emergency response agencies about accidental releases? [68.95(a)(1)(i)] <input type="checkbox"/> Documentation of proper first-aid and emergency medical treatment necessary to treat accidental human exposures? [68.95(a)(1)(ii)] <input type="checkbox"/> Procedures and measures for emergency response after an accidental release of a regulated substance? [68.95(a)(1)(iii)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
3. The emergency response plan contains procedures for the use of emergency response equipment and for its inspection, testing, and maintenance? [68.95(a)(2)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
4. The emergency response plan requires, and there is documentation of, training for all employees in relevant procedures? [68.95(a)(3)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
5. The owner or operator has developed and implemented procedures to review and update, as appropriate, the emergency response plan to reflect changes at the stationary source and ensure that employees are informed of changes? [68.95(a)(4)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
6. Did the owner or operator use a written plan that complies with other Federal contingency plan regulations or is consistent with the approach in the National Response Team's Integrated Contingency Plan Guidance ("One Plan")? If so, does the plan include the elements provided in paragraph (a) of 68.95, and also complies with paragraph (c) of 68.95? [68.95(b)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
7. Has the emergency response plan been coordinated with the community emergency response plan developed under EPCRA? [68.95(c)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A

Section H – Risk Management Plan [40 CFR 68.190 – 68.195]

1. Does the single registration form include, for each covered process, the name and CAS number of each regulated substance held above the threshold quantity in the process, the maximum quantity of each regulated substance or mixture in the process (in pounds) to two significant digits, the five- or six-digit NAICS code that most closely corresponds to the process and the Program level of the process? [68.160(b)(7)] (b) (5)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> N/A
2. Did the facility assign the correct program level(s) to its covered process(es)? [68.160(b)(7)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A

RMP Program Level 3 Process Checklist

Facility Name: Double D Foods, OK City, OK

RISK MANAGEMENT PROGRAM INSPECTION FINDINGS, ALLEGED VIOLATIONS AND PROPOSED PENALTY SHEET

<p>3. Has the owner or operator reviewed and updated the RMP and submitted it to EPA [68.190(a)]? Reason for update:</p> <p><input type="checkbox"/> Five-year update. [68.190(b)(1)]</p> <p><input type="checkbox"/> Within three years of a newly regulated substance listing. [68.190(b)(2)]</p> <p><input type="checkbox"/> At the time a new regulated substance is first present in an already regulated process above threshold quantities. [68.190(b)(3)]</p> <p><input type="checkbox"/> At the time a regulated substance is first present in a new process above threshold quantities. [68.190(b)(4)]</p> <p><input type="checkbox"/> Within six months of a change requiring revised PHA or hazard review. [68.190(b)(5)]</p> <p><input type="checkbox"/> Within six months of a change requiring a revised OCA as provided in 68.36. [68.190(b)(6)]</p> <p><input type="checkbox"/> Within six months of a change that alters the Program level that applies to any covered process. [68.190(b)(7)]</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A</p>
<p>4. If the owner or operator experienced an accidental release that met the five-year accident history reporting criteria (as described at 68.42) subsequent to April 9, 2004, did the owner or operator submit the information required at 68.168, 68.170(j) and 68.175(l) within six months of the release or by the time the RMP was updated as required at 68.190, whichever was earlier. [68.195(a)]</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A</p>
<p>5. If the emergency contact information required at 68.160(b)(6) has changed since June 21, 2004, did the owner or operator submit corrected information within thirty days of the change? [68.195(b)] Failed to notify EPA of change. The facility must immediately update the emergency contact information in the RMP. This can be accomplished by submitting an amended RMP or on-line using RMP*CDX. To get a password to access RMP*CDX contact the RMP Reporting Center at (301) 429-5018 (8am-4:30pm ET M-F).</p>	<p><input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> N/A</p> <p>(b) (5)</p>

(b) (5)

FY 2005 Inspection Conclusion Data Sheet (ICDS) Form for ICIS Reporting

- * Data elements required to be completed for the ICIS system
- ** Data elements required for Inspection Conclusion Data Sheet reporting
- Data elements that do not have asterisks are optional

For Data Entry Staff Use Only

- Date information is Entered into ICIC (mm/dd/year):

EPA Inspector Name: Bill Andrews

EPA Inspector Phone: (214) 665-6493

THIS FORM MIRRORS THE FORMAT OF THE ICIS DATA ELEMENTS

1. *Compliance Activity Type: Compliance Inspection
2. *Compliance Monitoring Activity Name: Double D Foods (Not a Small Business)
3. Compliance Monitoring Type: CAA 112(r)(7) Inspection (i.e. Site Visit)
4. *Region: 6
5. *Facility's Name and Location: Double D Foods - Oklahoma City, OK
6. Planned Start: (mm dd, yyyy)
7. Planned End: (mm dd, yyyy)
8. **Actual Start: 5/23/2007 (mm dd, yyyy)
9. **Actual End: 5/23/2007 (mm dd, yyyy)
10. *Federal Statutes: CAA
11. *Sections: CAA 112(r)(7) Prevention of Accidental Release/Risk Management Plans
12. **Citations: 40 CFR Part 68
13. *Programs: No Entry Needed
14. **SIC (4-Digit) or NAICS Code (5-Digit) 311991
15. Media Monitored: None
16. *Compliance Monitoring Action Reason:
Agency Priority ☐ Citizen Complaint/Tip ☐ Core Program ☒
Selected Monitoring Action ☐ Random Evaluation or Inspection ☐
17. *Compliance Monitoring Agency Type: EPA
18. If State, local or Tribal lead, did EPA assist: Does not apply to ICDS activity. Leave Box Blank
19. Number of days physically conducting the activity: 1

20. Number of hours physically conducting the activity: 8.50 hrs

21. Compliance Monitoring Action Outcome: Check *one* (if known at the time of the activity)

Administrative ☐ Immediately Corrected ☐ Judicial ☐ No Violation ☐
No Compliance Monitoring (access denied) ☐ No Compliance Monitoring (facility closed) ☐
Not Immediately Corrected ☒ Notice of Determination ☐ Under Review ☐ Withdrawn ☐

22. MOA Priorities: (Circle only one that applies from the following)

23. Regional Priorities: EPCRA and CAA Section 112(r) Accident History by Facility

24. **Did you observe deficiencies (Potential violations) during the on-site inspection? Yes ☒ No ☐

**If you observed deficiencies, did you communicate them to the facility during the inspection?
Yes ☒ No ☐

**If deficiencies were observed, select one or more of the following:

- ☐ Potential violation of a compliance schedule in an enforceable order
- ☒ Potential failure to maintain a record or failure to disclose a document
- ☒ Potential failure to maintain/inspect/repair equipment, including meters, sensors and recording equipment
- ☒ Potential failure to complete or submit a notification, report, certification or manifest
- ☐ Potential failure to obtain a permit, product approval, or certification
- ☐ Potential failure to follow a required sampling or monitoring procedure or laboratory procedure
- ☐ Potential failure to follow or develop a required management practice or procedure
- ☐ Potential failure to identify and manage a regulated waste or pollutant in any media
- ☐ Potential failure to report regulated events, such as spills, accidents, etc
- ☐ Potential incorrect use of a material (e.g. pesticide, waste product) or use of improper/unapproved material
- ☐ Potential failure to follow a permit condition
- ☐ Potential excess emission in violation of a regulation

25. **Did you observe or see the facility take any actions during the inspection to address the deficiencies communicated to the facility? Yes ☐ No ☒

If yes, check only the action(s) actually observed/seen and/or write a short description of the action in the "Optional" section. (Check all of the actions that apply)

Action(s) Taken:

- ☐ Complete(d) a Notification or Report
- ☐ Correct(ed) Monitoring Deficiencies
- ☐ Correct(ed) Record Keeping Deficiencies
- ☐ Implemented New or Improved Management Practices or Procedures
- ☐ Improved Pollutant Identification (e.g., Labeling, Manifesting, Storage, etc)
- ☐ Reduced Pollution (e.g., Use Reduction, Industrial Process Change, Emissions or Discharge Change, etc)
- ☐ Requested a Permit Application or Applied for a Permit
- ☐ Verified Compliance with Previously Issued Enforcement Action – Part or All Conditions

The following common air or water pollutants should only be checked if the "Reduced Pollution" action was checked.

Water: Ammonia ☐, BOD ☐, COD ☐, TSS ☐, O&G ☐, Total Coliform ☐, D.O. ☐, Metals V, Cyanide ☐
Other:

Air: NOx ☐, SO2 ☐, PM ☐, VOC ☐, Metals ☐, HAPs ☐, CO ☐
Other:

26. Did you provide general compliance assistance in accordance with the policy on the Role of the EPA Inspector in Providing Compliance Assistance During Inspection? Yes ☒ No ☐

27. Did you provide site-specific compliance assistance in accordance with the policy on the Role of the EPA Inspector in Providing Compliance Assistance During Inspections? Yes ☒ No ☐

Note: This form does not require EPA inspectors to provide compliance assistance.

Optional Information: (Describe actions taken by the facility or assistance provided to the facility)



U.S. Environmental Protection Agency
Region 6
1445 Ross Ave., Suite 1200
Dallas, TX 75202-2733

NOTICE OF INSPECTION

REASON FOR INSPECTION: This inspection is for the purpose of determining compliance with Section 112(r)(7) accidental release prevention requirements of the Clean Air Act, as amended 1990. The scope of this inspection may include, but is not limited to: reviewing and obtaining copies of documents and records; interviews and taking of statements; reviewing of chemical storage, handling, processing, and use; taking samples and photographs; and any other inspection activities necessary to determine compliance with the Act.

Facility Name: Double D Foods	<input checked="" type="checkbox"/> Private # of Employees: 140 Contractors/Others:	<input type="checkbox"/> Government/Municipal Population Served: 0
Mailing Address: 418 Benzel Ave. Madelia, MN 56062	Inspection Start Date and Time: May 23, 2007 at 8:30 AM	
Physical Address: 7300 Southwest 29th Street Oklahoma Cit, OK 73179	Inspection End Date and Time: May 23, 2007 at 5:00 PM	
E-Mail Address: dmessner@doubledfoods.com		
Responsible Official, Title, Phone Number: Mr. Dan Messner, Maintenance Mgr Maintenance Mgr, (405) 745-3471	EPA Facility ID#: 1000 0019 1464	
Facility Representative(s), Title(s), Phone Number(s): Mr. Jason Malmgren, , Mr. Terry Sharp, Refrigeration Mgr	Inspector Name(s), Title(s), Phone Number(s): Bill Andrews, RMP Inspector (214) 665-6493	
Inspection Report Reviewer Signature: <i>[Signature]</i> 6/13/2007 Date	Inspector Signature: <i>[Signature]</i> 6/12/07 Date	

Inspection Findings

IS FACILITY SUBJECT TO RMP REGULATION (40 CFR 68)?		<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N
DID FACILITY SUBMIT (AND UPDATE) AN RMP AS PROVIDED IN 68.150 TO 68.185?		<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N
DATE INITIAL RMP FILED WITH EPA: 4/12/2005		DATE OF LATEST RMP: 4/12/2005	
1) PROCESS/NAICS CODE: Perishable Prepared Food Manufacturing/311991	PROGRAM LEVEL: 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input checked="" type="checkbox"/>		
REGULATED SUBSTANCE: Ammonia (anhydrous)	MAXIMUM QUANTITY IN PROCESS: 13700 (lbs)		
2) PROCESS/NAICS CODE:	PROGRAM LEVEL: 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/>		
REGULATED SUBSTANCE:	MAXIMUM QUANTITY IN PROCESS: (lbs)		
3) PROCESS/NAICS CODE:	PROGRAM LEVEL: 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/>		
REGULATED SUBSTANCE:	MAXIMUM QUANTITY IN PROCESS: (lbs)		
4) PROCESS/NAICS CODE:	PROGRAM LEVEL: 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/>		
REGULATED SUBSTANCE:	MAXIMUM QUANTITY IN PROCESS: (lbs)		
5) PROCESS/NAICS CODE:	PROGRAM LEVEL: 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/>		
REGULATED SUBSTANCE:	MAXIMUM QUANTITY IN PROCESS: (lbs)		
DID THE FACILITY CORRECTLY ASSIGN PROGRAM LEVELS TO PROCESSES?		<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N

ATTACHED CHECKLIST(S):

☐ PROGRAM LEVEL 1 CHECKLIST

☐ PROGRAM LEVEL 2 CHECKLIST

☒ PROGRAM LEVEL 3 CHECKLIST

OTHER ATTACHMENTS:

COMMENTS:

MAXIMUM INVENTORY WAS ERRONEOUSLY LISTED AT 11400# NOT 13700#. ALSO ATTENDING: ED CALLIHAN, BASIN ENVIRONMENTAL.

RMP Program Level 3 Process Checklist

Facility Name: Double D Foods, OK City, OK

Section A – Management [68.15]

Management system developed and implemented as provided in 40 CFR 68.15?
Comments:

☒S ☐M ☐U ☐N/A

Has the owner or operator:

- | | |
|--|---|
| 1. Developed a management system to oversee the implementation of the risk management program elements? [68.15(a)] | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A |
| 2. Assigned a qualified person or position that has the overall responsibility for the development, implementation, and integration of the risk management program elements? [68.15(b)] | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A |
| 3. Documented other persons responsible for implementing individual requirements of the risk management program and defined the lines of authority through an organization chart or similar document? [68.15(c)] | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A |

Section B: Hazard Assessment [68.20-68.42]

Hazard assessment conducted and documented as provided in 40 CFR 68.20-68.42?
Comments:

☐S ☐M ☒U ☐N/A

Hazard Assessment: Offsite consequence analysis parameters [68.22]

- | | |
|--|---|
| 1. Used the following endpoints for offsite consequence analysis for a worst-case scenario: [68.22(a)]
<input checked="" type="checkbox"/> For toxics: the endpoints provided in Appendix A of 40 CFR Part 68? [68.22(a)(1)]
<input type="checkbox"/> For flammables: an explosion resulting in an overpressure of 1 psi? [68.22(a)(2)(i)]; or
<input type="checkbox"/> For flammables: a fire resulting in a radiant heat/exposure of 5 kw/m ² for 40 seconds? [68.22(a)(2)(ii)]
<input type="checkbox"/> For flammables: a concentration resulting in a lower flammability limit, as provided in NFPA documents or other generally recognized sources? [68.22(a)(2)(iii)] | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A |
| 2. Used the following endpoints for offsite consequence analysis for an alternative release scenario: [68.22(a)]
<input checked="" type="checkbox"/> For toxics: the endpoints provided in Appendix A of 40 CFR Part 68? [68.22(a)(1)]
<input type="checkbox"/> For flammables: an explosion resulting in an overpressure of 1 psi? [68.22(a)(2)(i)]
<input type="checkbox"/> For flammables: a fire resulting in a radiant heat/exposure of 5 kw/m ² for 40 seconds? [68.22(a)(2)(ii)]
<input type="checkbox"/> For flammables: a concentration resulting in a lower flammability limit, as provided in NFPA documents or other generally recognized sources? [68.22(a)(2)(iii)] | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A |
| 3. Used appropriate wind speeds and stability classes for the release analysis? [68.22(b)] | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A |
| 4. Used appropriate ambient temperature and humidity values for the release analysis? [68.22(c)] | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A |
| 5. Used appropriate values for the height of the release for the release analysis? [68.22(d)] | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A |
| 6. Used appropriate surface roughness values for the release analysis? [68.22(e)] | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A |
| 7. Do tables and models, used for dispersion analysis of toxic substances, appropriately account for dense or neutrally buoyant gases? [68.22(f)] | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A |
| 8. Were liquids, other than gases liquefied by refrigeration only, considered to be released at the highest daily maximum temperature, based on data for the previous three years appropriate for a stationary source, or at process temperature, whichever is higher? [68.22(g)] | <input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A |

Hazard Assessment: Worst-case release scenario analysis [68.25]

- | | |
|---|---|
| 9. Analyzed and reported in the RMP one worst-case release scenario estimated to create the greatest distance to an endpoint resulting from an accidental release of a regulated toxic substance from covered processes under worst-case conditions? [68.25(a)(2)(i)] | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A |
|---|---|

RMP Program Level 3 Process Checklist
Facility Name: Double D Foods, OK City, OK

10. Analyzed and reported in the RMP one worst-case release scenario estimated to create the greatest distance to an endpoint resulting from an accidental release of a regulated flammable substance from covered processes under worst-case conditions? [68.25(a)(2)(ii)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
11. Analyzed and reported in the RMP additional worst-case release scenarios for a hazard class if the worst-case release from another covered process at the stationary source potentially affects public receptors different from those potentially affected by the worst-case release scenario developed under 68.25(a)(2)(i) or 68.25(a)(2)(ii)? [68.25(a)(2)(iii)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
12. Has the owner or operator determined the worst-case release quantity to be the greater of the following: [68.25(b)] <input checked="" type="checkbox"/> If released from a vessel, the greatest amount held in a single vessel, taking into account administrative controls that limit the maximum quantity? [68.25(b)(1)] <input type="checkbox"/> If released from a pipe, the greatest amount held in the pipe, taking into account administrative controls that limit the maximum quantity? [68.25(b)(2)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
13.a. Has the owner or operator for <u>toxic substances</u> that are <u>normally gases</u> at <u>ambient temperature</u> and handled as a gas or liquid under pressure:	
13.a.(1) Assumed the whole quantity in the vessel or pipe would be released as a gas over 10 minutes? [68.25(c)(1)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
13.a.(2) Assumed the release rate to be the total quantity divided by 10, if there are no passive mitigation systems in place? [68.25(c)(1)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
13.b. Has the owner or operator for <u>toxic gases</u> handled as <u>refrigerated liquids</u> at <u>ambient pressure</u> :	
13.b.(1) Assumed the substance would be released as a gas in 10 minutes, if not contained by passive mitigation systems or if the contained pool would have a depth of 1 cm or less? [68.25(c)(2)(i)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
13.b.(2) If released substance would be contained by passive mitigation systems in a pool with a depth > 1 cm; <input type="checkbox"/> Assumed the quantity in the vessel or pipe (as determined per 68.25(b)) would be spilled instantaneously to form a liquid pool? [68.25(c)(2)(ii)] <input type="checkbox"/> Calculated the volatility rate at the boiling point of the substance and at the conditions specified in 68.25(d)? [68.25(c)(2)(ii)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
13.c. Has the owner or operator for <u>toxic substances</u> that are <u>normally liquids</u> at <u>ambient temperature</u> :	
13.c.(1) Assumed the quantity in the vessel or pipe would be spilled instantaneously to form a liquid pool? [68.25(d)(1)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
13.c.(2) Determined the surface area of the pool by assuming that the liquid spreads to 1 cm deep, if there is no passive mitigation system in place that would serve to contain the spill and limit the surface area, or if passive mitigation is in place, was the surface area of the contained liquid used to calculate the volatilization rate? [68.25(d)(1)(i)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
13.c.(3) Taken into account the actual surface characteristics, if the release would occur onto a surface that is not paved or smooth? [68.25(d)(1)(ii)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
13.c.(4) Determined the volatilization rate by accounting for the highest daily maximum temperature in the past three years, the temperature of the substance in the vessel, and the concentration of the substance if the liquid spilled is a mixture or solution? [68.25(d)(2)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
13.c.(5) Determined the rate of release to air from the volatilization rate of the liquid pool? [68.25(d)(3)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
13.c.(6) Determined the rate of release to air by using the methodology in the RMP Offsite Consequence Analysis Guidance, any other publicly available techniques that account for the modeling conditions and are recognized by industry as applicable as part of current practices, or proprietary models that account for the modeling conditions may be used provided the owner or operator allows the implementing agency access to the model and describes model features and differences from publicly available models to local emergency planners upon request? [68.25(d)(3)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
What modeling technique did the owner or operator use? [68.25(g)] _____	

RMP Program Level 3 Process ChecklistFacility Name: Double D Foods, OK City, OK13.d. Has the owner or operator for flammables:

13.d.(1) Assumed the quantity in a vessel(s) of flammable gas held as a gas or liquid under pressure or refrigerated gas released to an undiked area vaporizes resulting in a vapor cloud explosion? [68.25(e)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
13.d.(2) For refrigerated gas released to a contained area or liquids released below their atmospheric boiling point, assumed the quantity volatilized in 10 minutes results in a vapor cloud? [68.25(f)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
13.d.(3) Assumed a yield factor of 10% of the available energy is released in the explosion for determining the distance to the explosion endpoint, if the model used is based on TNT-equivalent methods? [68.25(e)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
14. Used the parameters defined in 68.22 to determine distance to the endpoints? [68.25(g)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
15. Determined the rate of release to air by using the methodology in the RMP Offsite Consequence Analysis Guidance, any other publicly available techniques that account for the modeling conditions and are recognized by industry as applicable as part of current practices, or proprietary models that account for the modeling conditions may be used provided the owner or operator allows the implementing agency access to the model and describes model features and differences from publicly available models to local emergency planners upon request? [68.25(g)] What modeling technique did the owner or operator use? [68.25(g)] <u>RMP Comp</u>	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
16. Ensured that the passive mitigation system, if considered, is capable of withstanding the release event triggering the scenario and will still function as intended? [68.25(h)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
17. Considered also the following factors in selecting the worst-case release scenarios: [68.25(i)] <input type="checkbox"/> Smaller quantities handled at higher process temperature or pressure? [68.25(i)(1)] <input type="checkbox"/> Proximity to the boundary of the stationary source? [68.25(i)(2)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A

Hazard Assessment: Alternative release scenario analysis [68.28]

18. Identified and analyzed at least one alternative release scenario for each regulated toxic substance held in a covered process(es) and at least one alternative release scenario to represent all flammable substances held in covered processes? [68.28(a)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
19. Selected a scenario: [68.28(b)] <input checked="" type="checkbox"/> That is more likely to occur than the worst-case release scenario under 68.25? [68.28(b)(1)(i)] <input type="checkbox"/> That will reach an endpoint off-site, unless no such scenario exists? [68.28(b)(1)(ii)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
20. Considered release scenarios which included, but are not limited to, the following: [68.28(b)(2)] <input checked="" type="checkbox"/> Transfer hose releases due to splits or sudden hose uncoupling? [68.28(b)(2)(i)] <input checked="" type="checkbox"/> Process piping releases from failures at flanges, joints, welds, valves and valve seals, and drains or bleeds? [68.28(b)(2)(ii)] <input checked="" type="checkbox"/> Process vessel or pump releases due to cracks, seal failure, or drain, bleed, or plug failure? [68.28(b)(2)(iii)] <input checked="" type="checkbox"/> Vessel overfilling and spill, or overpressurization and venting through relief valves or rupture disks? [68.28(b)(2)(iv)] <input checked="" type="checkbox"/> Shipping container mishandling and breakage or puncturing leading to a spill? [68.28(b)(2)(v)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
21. Used the parameters defined in 68.22 to determine distance to the endpoints? [68.28(c)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
22. Determined the rate of release to air by using the methodology in the RMP Offsite Consequence Analysis Guidance, any other publicly available techniques that account for the modeling conditions and are recognized by industry as applicable as part of current practices, or proprietary models that account for the modeling conditions may be used provided the owner or operator allows the implementing agency access to the model and describes model features and differences from publicly available models to local emergency planners upon request? [68.28(c)] What modeling technique did the owner or operator use? [68.25(g)] <u>RMP Comp</u>	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A

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23. Ensured that the passive and active mitigation systems, if considered, are capable of withstanding the release event triggering the scenario and will be functional? [68.28(d)] ☐ Y ☐ N ☒ N/A

24. Considered the following factors in selecting the alternative release scenarios: [68.28(e)] ☐ Y ☐ N ☒ N/A
☐ The five-year accident history provided in 68.42? [68.28(e)(1)]
☐ Failure scenarios identified under 68.50? [68.28(e)(2)]

Hazard Assessment: Defining off-site impacts–Population [68.30]

25. Estimated population that would be included in the distance to the endpoint in the RMP based on a circle with the point of release at the center? [68.30(a)] ☒ Y ☐ N ☐ N/A

26. Identified the presence of institutions, parks and recreational areas, major commercial, office, and industrial buildings in the RMP? [68.30(b)] ☐ Y ☒ N ☐ N/A
 (b) (5)
 (b) (5)

27. Used most recent Census data, or other updated information to estimate the population? [68.30(c)] ☒ Y ☐ N ☐ N/A

28. Estimated the population to two significant digits? [68.30(d)] ☒ Y ☐ N ☐ N/A

Hazard Assessment: Defining off-site impacts–Environment [68.33]

29. Identified environmental receptors that would be included in the distance to the endpoint based on a circle with the point of release at the center? [68.33(a)] ☒ Y ☐ N ☐ N/A

30. Relied on information provided on local U.S.G.S. maps, or on any data source containing U.S.G.S. data to identify environmental receptors? [Source may have used LandView to obtain information] [68.33(b)] ☒ Y ☐ N ☐ N/A

Hazard Assessment: Review and update [68.36]

31. Reviewed and updated the off-site consequence analyses at least once every five years? [68.36(a)] ☐ Y ☐ N ☒ N/A

32. Completed a revised analysis and submit a revised RMP within six months of a change in processes, quantities stored or handled, or any other aspect that might reasonably be expected to increase or decrease the distance to the endpoint by a factor of two or more? [68.36(b)] ☐ Y ☐ N ☒ N/A

Hazard Assessment: Documentation [68.39]

33. For worst-case scenarios: a description of the vessel or pipeline and substance selected, assumptions and parameters used, the rationale for selection, and anticipated effect of the administrative controls and passive mitigation on the release quantity and rate? [68.39(a)] ☒ Y ☐ N ☐ N/A

34. For alternative release scenarios: a description of the scenarios identified, assumptions and parameters used, the rationale for the selection of specific scenarios, and anticipated effect of the administrative controls and mitigation on the release quantity and rate? [68.39(b)] ☒ Y ☐ N ☐ N/A

35. Documentation of estimated quantity released, release rate, and duration of release? [68.39(c)] ☒ Y ☐ N ☐ N/A

36. Methodology used to determine distance to endpoints? [68.39(d)] ☒ Y ☐ N ☐ N/A

37. Data used to estimate population and environmental receptors potentially affected? [68.39(e)] ☒ Y ☐ N ☐ N/A

Hazard Assessment: Five-year accident history [68.42]

38. Has the owner or operator included all accidental releases from covered processes that resulted in deaths, injuries, or significant property damage on site, or known offsite deaths, injuries, evacuations, sheltering in place, property damage, or environmental damage? [68.42(a)] ☐ Y ☐ N ☒ N/A

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39. Has the owner or operator reported the following information for each accidental release: [68.42(b)]

☐ Y ☐ N ☒ N/A

- ☐ Date, time, and approximate duration of the release? [68.42(b)(1)]
- ☐ Chemical(s) released? [68.42(b)(2)]
- ☐ Estimated quantity released in pounds and percentage weight in a mixture (toxics)? [68.42(b)(3)]
- ☐ NAICS code for the process? [68.42(b)(4)]
- ☐ The type of release event and its source? [68.42(b)(5)]
- ☐ Weather conditions (if known)? [68.42(b)(6)]
- ☐ On-site impacts? [68.42(b)(7)]
- ☐ Known offsite impacts? [68.42(b)(8)]
- ☐ Initiating event and contributing factors (if known)? [68.42(b)(9)]
- ☐ Whether offsite responders were notified (if known)? [68.42(b)(10)]
- ☐ Operational or process changes that resulted from investigation of the release? [68.42(b)(11)]

Section C: Prevention Program

Implemented the Program 3 prevention requirements as provided in 40 CFR 68.65 - 68.87?

☐ S ☐ M ☒ U ☐ N/A

Comments:

Prevention Program- Safety information [68.65]

1. Has the owner or operator compiled written process safety information, which includes information pertaining to the hazards of the regulated substances used or produced by the process, information pertaining to the technology of the process, and information pertaining to the equipment in the process, before conducting any process hazard analysis required by the rule? [68.65(a)]

☒ Y ☐ N ☐ N/A

Does the process safety information contain the following for hazards of the substances: [68.65(b)]

- ☒ Material Safety Data Sheets (MSDS) that meet the requirements of the OSHA Hazard Communication Standard [29 CFR 1910.1200(g)]? [68.48(a)(1)]
- ☒ Toxicity information? [68.65(b)(1)]
- ☒ Permissible exposure limits? [68.65(b)(2)]
- ☒ Physical data? [68.65(b)(3)]
- ☒ Reactivity data? [68.65(b)(4)]
- ☒ Corrosivity data? [68.65(b)(5)]
- ☒ Thermal and chemical stability data? [68.65(b)(6)]
- ☒ Hazardous effects of inadvertent mixing of materials that could foreseeably occur? [68.65(b)(7)]

2. Has the owner documented information pertaining to technology of the process?

☒ Y ☐ N ☐ N/A

- ☒ A block flow diagram or simplified process flow diagram? [68.65(c)(1)(i)]
- ☒ Process chemistry? [68.65(c)(1)(ii)]
- ☒ Maximum intended inventory? [68.65(c)(1)(iii)]
- ☒ Safe upper and lower limits for such items as temperatures, pressures, flows, or compositions? [68.65(c)(1)(iv)]
- ☒ An evaluation of the consequences of deviation? [68.65(c)(1)(iv)]

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3. Does the process safety information contain the following for the equipment in the process: [68.65(d)(1)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
<input checked="" type="checkbox"/> Materials of construction? [68.65(d)(1)(i)]	
<input checked="" type="checkbox"/> Piping and instrumentation diagrams [68.65(d)(1)(ii)]	
<input checked="" type="checkbox"/> Electrical classification? [68.65(d)(1)(iii)]	
<input checked="" type="checkbox"/> Relief system design and design basis? [68.65(d)(1)(iv)]	
<input checked="" type="checkbox"/> Ventilation system design? [68.65(d)(1)(v)]	
<input checked="" type="checkbox"/> Design codes and standards employed? [68.65(d)(1)(vi)]	
<input checked="" type="checkbox"/> Material and energy balances for processes built after June 21, 1999? [68.65(d)(1)(vii)]	
<input checked="" type="checkbox"/> Safety systems? [68.65(d)(1)(viii)]	

4. Has the owner or operator documented that equipment complies with recognized and generally accepted good engineering practices? [68.65(d)(2)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
5. Has the owner or operator determined and documented that existing equipment, designed and constructed in accordance with codes, standards, or practices that are no longer in general use, is designed, maintained, inspected, tested, and operating in a safe manner? [68.65(d)(3)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A

Prevention Program- Process Hazard Analysis [68.67]

6. Has the owner or operator performed an initial process hazard analysis (PHA), and has this analysis identified, evaluated, and controlled the hazards involved in the process? [68.67(a)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
7. Has the owner or operator determined and documented the priority order for conducting PHAs, and was it based on an appropriate rationale? [68.67(a)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
8. Has the owner used one or more of the following technologies to conduct process PHA: [68.67(b)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
<input type="checkbox"/> What-if? [68.67(b)(1)]	
<input type="checkbox"/> Checklist? [68.67(b)(2)]	
<input checked="" type="checkbox"/> What-if/Checklist? [68.67(b)(3)]	
<input type="checkbox"/> Hazard and Operability Study (HAZOP) [68.67(b)(4)]	
<input type="checkbox"/> Failure Mode and Effects Analysis (FMEA) [68.67(b)(5)]	
<input type="checkbox"/> Fault Tree Analysis? [68.67(b)(6)]	
<input type="checkbox"/> An appropriate equivalent methodology? [68.67(b)(7)]	
9. Did the PHA address:	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
<input checked="" type="checkbox"/> The hazards of the process? [68.67(c)(1)]	
<input checked="" type="checkbox"/> Identification of any incident that had a likely potential for catastrophic consequences? [68.67(c)(2)]	
<input checked="" type="checkbox"/> Engineering and administrative controls applicable to hazards and interrelationships? [68.67(c)(3)]	
<input checked="" type="checkbox"/> Consequences of failure of engineering and administrative controls? [68.67(c)(4)]	
<input checked="" type="checkbox"/> Stationary source siting? [68.67(c)(5)]	
<input checked="" type="checkbox"/> Human factors? [68.67(c)(6)]	
<input checked="" type="checkbox"/> An evaluation of a range of the possible safety and health effects of failure of controls? [68.67(c)(7)]	
10. Was the PHA performed by a team with expertise in engineering and process operations and did the team include appropriate personnel? [68.67(d)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A

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| 11. Has the owner or operator established a system to promptly address the team's findings and recommendations; assured that the recommendations are resolved in a timely manner and documented; documented what actions are to be taken; completed actions as soon as possible; developed a written schedule of when these actions are to be completed; and communicated the actions to operating, maintenance, and other employees whose work assignments are in the process and who may be affected by the recommendations? [68.67(e)] | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A |
| 12. Has the PHA been updated and revalidated by a team every five years after the completion of the initial PHA to assure that the PHA is consistent with the current process? [68.67(f)] | <input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A |
| 13. Has the owner or operator retained PHAs and updates or revalidations for each process covered, as well as the resolution of recommendations for the life of the process? [68.67(g)] | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A |

Prevention Program- Operating procedures [68.69]

- | | |
|---|---|
| 14. Has the owner or operator developed and implemented written operating procedures that provide instructions or steps for conducting activities associated with each covered process consistent with the safety information? [68.69(a)] | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A |
| <p>15. Do the procedures address the following: [68.69(a)]</p> <p><u>Steps for each operating phase: [68.69(a)(1)]</u></p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Initial Startup? [68.69(a)(1)(i)] <input checked="" type="checkbox"/> Normal operations? [68.69(a)(1)(ii)] <input checked="" type="checkbox"/> Temporary operations? [68.69(a)(1)(iii)] <input checked="" type="checkbox"/> Emergency shutdown including the conditions under which emergency shutdown is required, and the assignment of shutdown responsibility to qualified operators to ensure that emergency shutdown is executed in a safe and timely manner? [68.69(a)(1)(iv)] <input checked="" type="checkbox"/> Emergency operations? [68.69(a)(1)(v)] <input checked="" type="checkbox"/> Normal shutdown? [68.69(a)(1)(vi)] <input checked="" type="checkbox"/> Startup following a turnaround, or after emergency shutdown? [68.69(a)(1)(vii)] <p><u>Operating limits: [68.69(a)(2)]</u></p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Consequences of deviations [68.69(a)(2)(i)] <input checked="" type="checkbox"/> Steps required to correct or avoid deviation? [68.69(a)(2)(ii)] <p><u>Safety and health considerations: [68.69(a)(3)]</u></p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Properties of, and physical hazards presented by, the chemicals used in the process [68.69(a)(3)(i)] <input checked="" type="checkbox"/> Precautions necessary to prevent exposure, including engineering controls, administrative controls, and personal protective equipment? [68.69(a)(3)(ii)] <input checked="" type="checkbox"/> Control measures to be taken if physical contact or airborne exposure occurs? [68.69(a)(3)(iii)] <input checked="" type="checkbox"/> Quality control for raw materials and control of hazardous chemical inventory levels? [68.69(a)(3)(iv)] <input checked="" type="checkbox"/> Any special or unique hazards? [68.69(a)(3)(v)] <input checked="" type="checkbox"/> Safety systems and their functions? [68.69(a)(4)] | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A |
| 16. Are operating procedures readily accessible to employees who are involved in a process? [68.69(b)] | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A |
| 17. Has the owner or operator certified annually that the operating procedures are current and accurate and that procedures have been reviewed as often as necessary? [68.69(c)] | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A |
| 18. Has the owner or operator developed and implemented safe work practices to provide for the control of hazards during specific operations, such as lockout/tagout? [68.69(d)] | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A |

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Prevention Program - Training [68.71]

- | | |
|--|---|
| 19. Has each employee involved in operating a process, and each employee before being involved in operating a newly assigned process, been initially trained in an overview of the process and in the operating procedures? [68.71(a)(1)] | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A |
| 20. Did initial training include emphasis on safety and health hazards, emergency operations including shutdown, and safe work practices applicable to the employee's job tasks? [68.71(a)(1)] | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A |
| 21. In lieu of initial training for those employees already involved in operating a process on June 21, 1999, an owner or operator may certify in writing that the employee has the required knowledge, skills, and abilities to safely carry out the duties and responsibilities as specified in the operating procedures [68.71(a)(2)] | <input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A |
| 22. Has refresher training been provided at least every three years, or more often if necessary, to each employee involved in operating a process to assure that the employee understands and adheres to the current operating procedures of the process? [68.71(b)] | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A |
| 23. Has owner or operator ascertained and documented in record that each employee involved in operating a process has received and understood the training required? [68.71(c)] No Documentation. | <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> N/A |
| 24. Does the prepared record contain the identity of the employee, the date of the training, and the means used to verify that the employee understood the training? [68.71(c)] No Documentation. | <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> N/A |

Prevention Program - Mechanical Integrity [68.73]

- | | |
|--|---|
| 25. Has the owner or operator established and implemented written procedures to maintain the on-going integrity of the process equipment listed in 68.73(a)? [68.73(b)] In process of installing a PMMS. | <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> N/A |
| 26. Has the owner or operator trained each employee involved in maintaining the on-going integrity of process equipment? [68.73(c)] see #25 | <input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A |
| 27. Performed inspections and tests on process equipment? [68.73(d)(1)] see #25 | <input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A |
| 28. Followed recognized and generally accepted good engineering practices for inspections and testing procedures? [68.73(d)(2)] see #25 | <input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A |
| 29. Ensured the frequency of inspections and tests of process equipment is consistent with applicable manufacturers' recommendations, good engineering practices, and prior operating experience? [68.73(d)(3)] see #25 | <input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A |
| 30. Documented each inspection and test that had been performed on process equipment, which identifies the date of the inspection or test, the name of the person who performed the inspection or test, the serial number or other identifier of the equipment on which the inspection or test was performed, a description of the inspection or test performed, and the results of the inspection or test? [68.73(d)(4)] see #25 | <input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A |
| 31. Corrected deficiencies in equipment that were outside acceptable limits defined by the process safety information before further use or in a safe and timely manner when necessary means were taken to assure safe operation? [68.73(e)] see #25 | <input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A |
| 32. Assured that equipment as it was fabricated is suitable for the process application for which it will be used in the construction of new plants and equipment? [68.73(f)(1)] see #25 | <input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A |
| 33. Performed appropriate checks and inspections to assure that equipment was installed properly and consistent with design specifications and the manufacturer's instructions? [68.73(f)(2)] see #25 | <input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A |
| 34. Assured that maintenance materials, spare parts and equipment were suitable for the process application for which they would be used? [68.73(f)(3)] see #25 | <input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A |

Prevention Program - Management Of Change [68.75]

- | | |
|---|---|
| 35. Has the owner or operator established and implemented written procedures to manage changes to process chemicals, technology, equipment, and procedures, and changes to stationary sources that affect a covered process? [68.75(a)] | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A |
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36. Do procedures assure that the following considerations are addressed prior to any change: [68.75(b)] <input checked="" type="checkbox"/> The technical basis for the proposed change? [68.75(b)(1)] <input checked="" type="checkbox"/> Impact of change on safety and health? [68.75(b)(2)] <input checked="" type="checkbox"/> Modifications to operating procedures? [68.75(b)(3)] <input checked="" type="checkbox"/> Necessary time period for the change? [68.75(b)(4)] <input type="checkbox"/> Authorization requirements for the proposed change? [68.75(b)(5)] Routing requirements not defined for various levels of changes. Process only required one signature for any change.	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> N/A
37. Were employees, involved in operating a process and maintenance, and contract employees, whose job tasks would be affected by a change in the process, informed of, and trained in, the change prior to start-up of the process or affected parts of the process? [68.75(c)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
38. If a change resulted in a change in the process safety information, was such information updated accordingly? [68.75(d)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
39. If a change resulted in a change in the operating procedures or practices, had such procedures or practices been updated accordingly? [68.75(e)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A

Prevention Program - Pre-startup Safety Review [68.77]

40. If the facility installed a new stationary source, or significantly modified an existing source, (as discussed at 68.77(a)) did it perform a pre-startup safety review prior to the introduction of a regulated substance to a process to confirm: [68.77(b)] <input checked="" type="checkbox"/> Construction and equipment was in accordance with design specifications? [68.77(b)(1)] <input checked="" type="checkbox"/> Safety, operating, maintenance, and emergency procedures were in place and were adequate? [68.77(b)(2)] <input checked="" type="checkbox"/> For new stationary sources, a process hazard analysis had been performed and recommendations had been resolved or implemented before startup? [68.77(b)(3)] <input checked="" type="checkbox"/> Modified stationary sources meet the requirements contained in management of change? [68.77(b)(3)] <input checked="" type="checkbox"/> Training of each employee involved in operating a process had been completed? [68.77(b)(4)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
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Prevention Program - Compliance audits [68.79]

41. Has the owner or operator certified that the stationary source has evaluated compliance with the provisions of the prevention program at least every three years to verify that the developed procedures and practices are adequate and being followed? [68.79(a)] New process, not due to 4/2008.	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
42. Has the audit been conducted by at least one person knowledgeable in the process? [68.79(b)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
43. Are the audit findings documented in a report? [68.79(c)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
44. Has the owner or operator promptly determined and documented an appropriate response to each of the findings of the audit and documented that deficiencies had been corrected? [68.79(d)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
45. Has the owner or operator retained the two most recent compliance reports? [68.79(e)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A

Prevention Program - Incident investigation [68.81]

46. Has the owner or operator investigated each incident that resulted in, or could reasonably have resulted in a catastrophic release of a regulated substance? [68.81(a)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
47. Were all incident investigations initiated not later than 48 hours following the incident? [68.81(b)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
48. Was an accident investigation team established and did it consist of at least one person knowledgeable in the process involved, including a contract employee if the incident involved work of a contractor, and other persons with appropriate knowledge and experience to thoroughly investigate and analyze the incident? [68.81(c)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A

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49. Was a report prepared at the conclusion of every investigation? [68.81(d)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
50. Does every report include: [68.81(d)] <input type="checkbox"/> Date of incident? [68.81(d)(1)] <input type="checkbox"/> Date investigation began? [68.81(d)(2)] <input type="checkbox"/> A description of the incident? [68.81(d)(3)] <input type="checkbox"/> The factors that contributed to the incident? [68.81(d)(4)] <input type="checkbox"/> Any recommendations resulting from the investigation? [68.81(d)(5)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
51. Has the owner or operator established a system to address and resolve the report findings and recommendations, and are the resolutions and corrective actions documented? [68.81(e)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
52. Was the report reviewed with all affected personnel whose job tasks are relevant to the incident findings including contract employees where applicable? [68.81(f)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A
53. Has the owner or operator retained incident investigation reports for at least five years? [68.81(g)]	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A

Section D - Employee Participation [68.83]

1. Has the owner or operator developed a written plan of action regarding the implementation of the employee participation required by this section? [68.83(a)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
2. Has the owner or operator consulted with employees and their representatives on the conduct and development of process hazards analyses and on the development of the other elements of process safety management in chemical accident prevention provisions? [68.83(b)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
3. Has the owner or operator provided to employees and their representatives access to process hazards analyses and to all other information required to be developed under the chemical accident prevention rule? [68.83(c)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A

Section E - Hot Work Permit [68.85]

1. Has the owner or operator issued a hot work permit for each hot work operation conducted on or near a covered process? [68.85(a)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
2. Does the permit document that the fire prevention and protection requirements in 29CFR 1910.252(a) have been implemented prior to beginning the hot work operations? [68.85(b)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
3. Does the permit indicate the date(s) authorized for hot work and the object(s) upon which hot work is to be performed? [68.85(b)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
4. Are the permits being kept on file until completion of the hot work operations? [68.85(b)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A

Section F - Contractors [68.87]

1. Has the owner or operator obtained and evaluated information regarding the contract owner or operator's safety performance and programs when selecting a contractor? [68.87(b)(1)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
2. Informed contract owner or operator of the known potential fire, explosion, or toxic release hazards related to the contractor's work and the process? [68.87(b)(2)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
3. Explained to the contract owner or operator the applicable provisions of the emergency response or the emergency action program? [68.87(b)(3)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
4. Developed and implemented safe work practices consistent with §68.69(d), to control the entrance, presence, and exit of the contract owner or operator and contract employees in the covered process areas? [68.87(b)(4)]	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A

RMP Program Level 3 Process Checklist
Facility Name: Double D Foods, OK City, OK

- | | |
|---|---|
| 5. Periodically evaluated the performance of the contract owner or operator in fulfilling their obligations (as described at 68.87(c)(1) – (c)(5))? [68.87(b)(5)] | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A |
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Section G - Emergency Response [68.90 - 68.95]

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|---|--|
| Developed and implemented an emergency response program as provided in 40 CFR 68.90-68.95?
Comments: | <input checked="" type="checkbox"/> S <input type="checkbox"/> M <input type="checkbox"/> U <input type="checkbox"/> N/A |
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| 1. Is the facility designated as a "first responder" in case of an accidental release of regulated substances? | <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> N/A |
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1.a. If the facility is not a first responder:

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| 1.a.(1) For stationary sources with any regulated substances held in a process above threshold quantities, is the source included in the community emergency response plan developed under 42 U.S.C. 11003? [68.90(b)(1)] | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A |
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| 1.a.(2) For stationary sources with only regulated flammable substances held in a process above threshold quantities, has the owner or operator coordinated response actions with the local fire department? [68.90(b)(2)] | <input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A |
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| 1.a.(3) Are appropriate mechanisms in place to notify emergency responders when there is need for a response? [68.90(b)(3)] | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A |
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| 2. An emergency response plan is maintained at the stationary source and contains the following? [68.95(a)(1)]
<input type="checkbox"/> Procedures for informing the public and local emergency response agencies about accidental releases? [68.95(a)(1)(i)]
<input type="checkbox"/> Documentation of proper first-aid and emergency medical treatment necessary to treat accidental human exposures? [68.95(a)(1)(ii)]
<input type="checkbox"/> Procedures and measures for emergency response after an accidental release of a regulated substance? [68.95(a)(1)(iii)] | <input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A |
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| 3. The emergency response plan contains procedures for the use of emergency response equipment and for its inspection, testing, and maintenance? [68.95(a)(2)] | <input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A |
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| 4. The emergency response plan requires, and there is documentation of, training for all employees in relevant procedures? [68.95(a)(3)] | <input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A |
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| 5. The owner or operator has developed and implemented procedures to review and update, as appropriate, the emergency response plan to reflect changes at the stationary source and ensure that employees are informed of changes? [68.95(a)(4)] | <input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A |
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| 6. Did the owner or operator use a written plan that complies with other Federal contingency plan regulations or is consistent with the approach in the National Response Team's Integrated Contingency Plan Guidance ("One Plan")? If so, does the plan include the elements provided in paragraph (a) of 68.95, and also complies with paragraph (c) of 68.95? [68.95(b)] | <input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A |
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| 7. Has the emergency response plan been coordinated with the community emergency response plan developed under EPCRA? [68.95(c)] | <input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A |
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Section H – Risk Management Plan [40 CFR 68.190 – 68.195]

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| 1. Does the single registration form include, for each covered process, the name and CAS number of each regulated substance held above the threshold quantity in the process, the maximum quantity of each regulated substance or mixture in the process (in pounds) to two significant digits, the five- or six-digit NAICS code that most closely corresponds to the process and the Program level of the process? [68.160(b)(7)] (b) (5) | <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> N/A |
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| 2. Did the facility assign the correct program level(s) to its covered process(es)? [68.160(b)(7)] | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A |
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RMP Program Level 3 Process Checklist

Facility Name: Double D Foods, OK City, OK

<p>3. Has the owner or operator reviewed and updated the RMP and submitted it to EPA [68.190(a)]? Reason for update:</p> <p><input type="checkbox"/> Five-year update. [68.190(b)(1)]</p> <p><input type="checkbox"/> Within three years of a newly regulated substance listing. [68.190(b)(2)]</p> <p><input type="checkbox"/> At the time a new regulated substance is first present in an already regulated process above threshold quantities. [68.190(b)(3)]</p> <p><input type="checkbox"/> At the time a regulated substance is first present in an new process above threshold quantities. [68.190(b)(4)]</p> <p><input type="checkbox"/> Within six months of a change requiring revised PHA or hazard review. [68.190(b)(5)]</p> <p><input type="checkbox"/> Within six months of a change requiring a revised OCA as provided in 68.36. [68.190(b)(6)]</p> <p><input type="checkbox"/> Within six months of a change that alters the Program level that applies to any covered process. [68.190(b)(7)]</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A</p>
<p>4. If the owner or operator experienced an accidental release that met the five-year accident history reporting criteria (as described at 68.42) subsequent to April 9, 2004, did the owner or operator submit the information required at 68.168, 68.170(j) and 68.175(l) within six months of the release or by the time the RMP was updated as required at 68.190, whichever was earlier. [68.195(a)]</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> N/A</p>
<p>5. If the emergency contact information required at 68.160(b)(6) has changed since June 21, 2004, did the owner or operator submit corrected information within thirty days of the change? [68.195(b)] Failed to notify EPA of change.</p>	<p><input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> N/A</p>

June 25, 2007

Mr. Dan Messner
Maintenance Manager
Double D Foods
7300 Southwest 29th Street
Oklahoma City, OK 73179

Re: EPA Facility ID # 1000 0019 1464

Dear Mr. Messner:

Enclosed is a copy of the Risk Management Plan Compliance Inspection Report for the Inspection conducted at your facility on May 23, 2007.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Bob Goodfellow', with a long horizontal stroke extending to the right.

Bob Goodfellow
Environmental Scientist
Response and Prevention Branch
EPA Region 6

Enclosure